



PLANNING COMMISSION WORK SESSION AGENDA

Monday, February 13, 2023 - 6:00 PM

City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Erik Glover, City Recorder at 541.574.0613, or e.glover@newportoregon.gov.

All meetings are live-streamed at <https://newportoregon.gov>, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day. To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER

Bill Branigan, Bob Berman, Jim Patrick, Jim Hanselman, Gary East, Braulio Escobar, John Updike, Dustin Capri, and Greg Sutton.

2. NEW BUSINESS

2.A Discussion Draft of Newport Housing Production Strategies.

[Memorandum](#)

[Document titled “Additional Details on Housing Strategies \(Actions\)” by ECONorthwest, dated 2/10/23](#)

[Newport Housing Funds - Revenue & Expenditures Summary](#)

2.B City Council Goals for Fiscal Year 2023/24.

[Memorandum](#)

[Draft City Council Goals](#)

2.C Impact of Newport News-Times Change to Publication Dates.

[Memorandum](#)

[Newport News-Times Publication Change Article, dated 1-27-23](#)

[Statutes Related to Newspaper Publication \(including those cited\)](#)

[Copy of NMC Section 14.52.060](#)


3. UNFINISHED BUSINESS

3.A Planning Commission Work Program Update.

[PC Work Program 02-08-23](#)

4. ADJOURNMENT

Memorandum

To: Planning Commission/Commission Advisory Committee
 From: Derrick Tokos, Community Development Director 
 Date: February 10, 2023
 Re: Discussion Draft of Newport Housing Production Strategies

This work session has been scheduled to provide you with an opportunity to review and discuss the draft housing strategies that are being developed before they are finalized by the Housing Advisory Committee and distributed for public comment. Enclosed is a document prepared by ECONorthwest titled "*Additional Details on Housing Strategies (Actions)*," dated February 10, 2023. This is an updated version of the draft reviewed by Council at its February 6, 2023 work session.

The document identifies strategies the City can pursue to facilitate the construction of needed housing. The Housing Advisory Committee has met a couple of times to refine the concepts and will look to finalize them at its upcoming meeting on February 15th. A table on page 4 of the document summarizes the proposed strategies as "potential actions." Each is described in greater detail in the subsequent pages. As you consider the strategies, you might want to reflect upon steps the City has taken to date to see if the proposals build upon or otherwise complement that work. Actions the City has taken are summarized in Appendix B at the end of the document. I will have a set of PowerPoint slides summarizing each strategy to help guide the conversation. Your feedback will be shared with the Housing Advisory Committee to inform its upcoming deliberations.

A virtual open house is being planned from February 27th to March 17th, to offer community members a high level overview of the City's housing needs projections, its buildable lands analysis, and strategies for meeting current and future housing needs. City staff and the consultant are also wrapping up community conversations with stakeholders to get their feedback on the concepts. Once the online open house is wrapped up, the Housing Advisory Committee will meet to consider the feedback and finalize its recommendations. A walk through open house with the final recommendations is being planned for April. The recommended strategies will form the basis of a Housing Production Strategy that the City must adopt by resolution. That document is tentatively scheduled for Commission review and recommendation in April, with Council adoption slated for May.

Attachment

Document titled "Additional Details on Housing Strategies (Actions)" by ECONorthwest, dated 2/10/23.

DATE: February 10, 2023
TO: Newport Housing Advisory Committee
CC: Derrick Tokos
FROM: Beth Goodman and Nicole Underwood, ECONorthwest
SUBJECT: Additional Details on Housing Strategies (Actions)

Newport is in the process of developing a *Housing Capacity Analysis* and *Housing Production Strategy* (HPS) to address the City's unmet housing needs. This memorandum describes actions that the City of Newport could take to address the City's housing needs which were identified in the *Newport Housing Needs and Potential Strategies* memorandum. The project team developed this list based on conversations with City staff, the Project Advisory Committee, and the experiences of other cities in Oregon and other states.

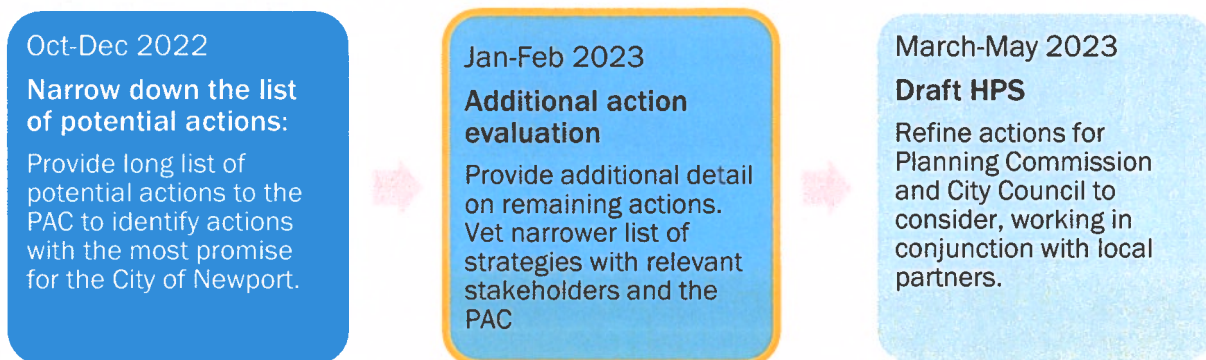
The Project Advisory Committee (PAC) will use this memorandum as a basis for discussion at the February 16, 2023, meeting. It is not intended as a final deliverable but rather as an interim document that provides additional details on the selected actions. These actions will undergo additional refinement before being included in Newport's *Housing Production Strategy* (HPS).

For the HPS, the City is looking for strategies that:

- Help to encourage the production of housing units
- Are controlled and implemented by the City of Newport
- Can be administered by existing City staff, provided budgetary resources are available

Process

This memorandum supports the strategy evaluation process (circled in orange below) and is intended to inform PAC discussion and City decisions about which actions to include in an overall program to produce housing citywide. This memorandum provides additional details on each of the actions and next steps that the City will implement over the course of eight years. The PAC will review a draft of the full HPS at the next meeting.



The next step in this process is to determine the details and implementation steps for these actions with the PAC. The discussion with the PAC on February 16, 2023, will focus on the following questions:

- Are the actions included in this memo the appropriate actions to address unmet housing needs in Newport? Consider how these strategies work together to address Newport's specific needs.
- Are there implementation considerations for each action that we have not included?

Beyond the February meeting, we will meet with the PAC one more time to review the full draft HPS.

This memorandum includes the following parts:

- Actions Under Consideration for Inclusion in the HPS
- Use of Actions to Support Different Housing Outcomes
- Appendix A: Evaluation Criteria for Actions
- Appendix B: Existing Policies to Address Newport's Housing Needs

Actions Under Consideration for Inclusion in the HPS

The following actions are under consideration for inclusion in the HPS. If selected for inclusion in the HPS we will continue to build out the details of each action.

Summary of Actions

In developing the HPS, we evaluated each of the actions considered for inclusion in the HPS based on the following. **Appendix A provides more details** about these evaluation criteria, beyond the summary below.

- **MFI targeted** focuses on incomes below 120% of MFI as these households are most likely to have difficulty affording housing.
- **Housing types targeted** considers what type of housing the action can support.
- **Impact** considers the potential scale of impact on housing development that the action could have. This provides context for whether the policy tool generally results in a little or a lot of change in the housing market.
- **Administrative burden** considers how much staff time is required to implement and administer action.
- **Funding required** considers how much funding is required to implement and administer the action.
- **Ease of implementation** assesses the political and community acceptability of the action, as well as potential need to coordinate with other organizations.
- **Flexibility** describes whether the action can be flexibly used to achieve multiple outcomes.

These actions are organized by the level of priority for the PAC as determined in the January meeting, with actions identified as higher priority towards the top of the list. This is not meant to reflect the order in which they will be implemented (because some actions may rely on implementation of other actions), but rather to give an understanding of what actions the PAC thought would be most beneficial to Newport and within the City's control.

As the City considers whether to include these actions in the HPS, one thing it should pay close attention to is the amount of staff time and funding that the actions will require. These actions will build on those actions that the City has already taken, summarized in Appendix B. Some of the actions that the City has already taken may also require additional staff time or could have additional costs to the City. For example, the existing property tax exemptions will have new costs, assuming that new development applies for them (and that the application is granted). In addition, the City's existing rehabilitation and weatherization program could be expanded if more staff time and funding was available.

Exhibit 1. Summary of Actions

Potential Action	MFI Targeted / Housing Type	Impact	Administrative Burden	Funding Required	Ease of Implementation	Flexibility
A. Use Urban Renewal to support housing and infrastructure development	All incomes / all housing types	Large	Medium	NA	Medium	High
B. Implement the Homebuyer Opportunity Limited Tax Exemption	Up to 120% MFI / single family	Small	Medium	Low	Medium	Medium
C. Reduce development code barriers to housing development	All incomes / multi-family	Moderate	Low	Low	Medium	Medium
D. Adjust the allocation of the Construction Excise Tax to support affordable housing development	Up to 120% MFI / all housing types	Moderate	Low	NA	Medium	High
E. Lobby the Legislature for more resources to support housing development and remove regulatory barriers to housing development	All incomes / all housing types	Moderate to Large	Medium	Low	Low to High	High
F. Establish a low barrier emergency shelter and warming center in Newport	Up to 30% MFI / emergency shelter	Moderate to Large	Medium	Medium to High	Medium	Low
G. Support development of a regional housing entity focused on low- and moderate-income housing development	60% to 120% MFI / middle, multifamily	Moderate	Medium	Medium	Medium	High
H. Participate in the regional homelessness action plan	Up to 30% MFI / temporary housing	Moderate	Medium	Medium to High	Medium	Medium
I. Pay System Development Charges (SDC) for workforce housing	Up to 120% MFI / multifamily	Small	Medium	Medium	Medium	High
J. Grow partnerships with Community Land Trusts	Up to 120% MFI / single family, middle	Small	Low	Medium	High	Low
K. Support outreach and education to promote equitable housing access	All incomes / all housing types	Small	Medium	Low	Low to High	High
L. Pursue an Urban Growth Management Agreement (UGMA) with the County	All incomes / all housing types	Small	Low	Low	Medium	Low
M. Research rental housing maintenance code feasibility	All incomes / all housing types	Small	High	Medium	Low	Medium

A. Use Urban Renewal to support housing and infrastructure development

Rationale

Urban renewal provides a flexible funding tool that can support many of the key strategies identified in the Housing Production Strategy if used within an urban renewal district. It allows cities to develop essential infrastructure or provides funding for programs that lower the costs of housing development (such as SDC reductions or low interest loan programs).

Description

Tax increment finance revenues are generated by the increase in total assessed value in an urban renewal district from the time the district is first established. As property values increase in the district, the increase in total property taxes is used to pay off bonds.

The City has three existing urban renewal districts: (1) the South Beach Urban Renewal District, for which all remaining funds have been allocated, (2) the McLean Point District which is strictly focused on generating funding to support infrastructure for water related industrial development next to the Port of Newport International Terminal and (3) the Northside Urban Renewal District, which is the focus of this strategy. The Northside Urban Renewal District was established in 2015 for the purpose of revitalizing the City's commercial core areas; upgrading street and utilities in Agate Beach to enhance existing neighborhoods and facilitate residential development; and to partner in redevelopment of the county commons and hospital campus.

Urban renewal can be used to support development of off-site infrastructure necessary to support new housing development. It can also be used to support development of affordable housing or to support rehabilitation of existing housing in poor condition, possibly with future requirements that it remain affordable at an income level like 80% or less of MFI. The City will need to decide how to use the funding to support housing over the life of the district. The best use of funding may be in coordination with other actions in the HPS, such as with land banking and support of development of income-restricted housing.

The Urban Renewal Agency could also act as a Housing Authority to directly support housing development. However, this would require a substantial amendment to the Northside Urban Renewal Plan. **The City may want to consider amending its current Northside Urban Renewal Plan to give the Urban Renewal Agency housing authority. The City may also want to consider extending the Northside Urban Renewal area or creating a new urban renewal area focused on supporting new housing development once the South Beach Urban Renewal District is closed in 2027.**

How are other cities using Urban Renewal to support housing?

The cities of John Day and Madras both established Urban Renewal Districts in their respective rural communities to help with compounding shortfalls of housing production. These Urban Renewal Districts use Tax Increment Financing (TIF) to provide incentives for building within designated city areas that have "deteriorated structures, underdevelopment or lack of development."

The City of John Day established their Urban Renewal District in 2018 covering about 130 acres of land, and the City of Madras established their Madras Housing Urban Renewal District (HURD) Plan in 2019 covering about 700 acres of land. Both cities offer incentives within their Urban Renewal Districts, including:

- Cash rebates on a portion of property taxes paid
- Direct contribution of funds
- Contributions to the developer for infrastructure development
- An agreement for the Urban Renewal Agency to complete infrastructure improvements that are required as a condition of development approval

City Role

The City would continue to implement the Northside Urban Renewal Plan and select projects to fund using the Tax Increment Financing tool of the District.

For a new urban renewal area in Newport or an amendment to the Northside Urban Renewal Plan, the City Council would adopt, and the Urban Renewal Agency Board would implement the plan.

Partners

Lead Partner. Urban Renewal Agency, Newport Community Development Department

Partners. Overlapping taxing jurisdictions, local property owners, community-based organizations

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low-, very low-, low- and middle-income households	All incomes	Renter and Owner	Large

Potential Risks

An urban renewal district is designed to support development through improvements to infrastructure and supporting catalytic development that makes it more feasible to do other development. A key risk with using urban renewal is potential to displace existing residents through gentrification. Other risks in using urban renewal to support affordable housing development in the urban renewal district is granting too many property tax exemptions for new affordable housing development, reducing growth of the property tax base in the district. In addition, funds spent on affordable housing reduce funds available for other priorities.

Implementation Steps

- In the Northside Urban Renewal District, identify potential partners where the agency can facilitate construction of housing, leveraging infrastructure investments to result in more affordable housing. This may involve the preparation of development agreements between the City and partners.
- Conduct a feasibility study to evaluate options for either expanding the Northside Urban Renewal District or establishing a new urban renewal district after the South Beach Urban Renewal District closes in 2027. When performing this study, target areas that would support additional housing development and ensure that the Urban Renewal Agency has sufficient tools to facilitate that development, including functioning as a Housing Authority.
- Consult with affected taxing entities as the feasibility study is developed to ensure their support for a potential new urban renewal district.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Funding and revenue implications of urban renewal are well-documented in the Urban Renewal Plan. Investment can only occur within the Urban Renewal District.

B. Implement the Homebuyer Opportunity Limited Tax Exemption

Rationale

The Homebuyer Opportunity Limited Tax Exemption (HOLTE) can serve as an incentive to stimulate the construction of new single-unit housing and encourage homeownership among low and moderate-income families.

Description

The state-authorized, locally implemented Homebuyer Opportunity Limited Tax Exemption (HOLTE) provides a 10-year property tax exemption on the improvement value of new or rehabilitated for-sale housing valued at no more than 120% of the median sales price for the City (or a lower percentage of median sales price if desired by the City). The City can set additional eligibility criteria (such as income limits or require owner-occupancy) and can cap the number or value of units in the program.¹ This program could support expanded home ownership opportunities for low- and moderate-income households and/or production of lower-cost, new, single-unit housing. HOLTE can be used to support homeownership for single-unit detached housing, townhouses, cottages, and plex housing types.

This exemption can be used in conjunction with other incentives (e.g., SDC deferrals), homeownership programs (e.g., down payment assistance programs and mortgage credit certificate programs), and land trust. It can be used to accomplish other development goals, such as green buildings and transit-oriented development.

What does the exemption apply to? The tax abatement can apply to any ownership housing valued at less than 120% of the City's median sales price. This could include housing provided by a community land trust or an affordable housing provider. The program can apply to any housing type as long as the units are sold individually, including single-family homes, townhouses, other for-sale middle housing, or condominiums.

How long does it apply? The property tax exemption can be granted for up to 10 years. State statute does not allow for the abatement to be extended.

What taxing districts would participate? The property tax exemption requires that the City gets affirmative support from at least 51% of overlapping taxing districts for the exemption. Newport's city property taxes account for about 36% of property taxes in Newport.

What impact might HOLTE have? In an analysis for the City of Hillsboro, ECONorthwest estimated the monthly property tax savings for a homeowner with the 10-year single-unit tax exemption as well as the foregone revenue for the City. Based on an example property with an improvement value of \$238,000 and an assessed value of \$164,000 (excluding land value²), the analysis found that the homeowner would save roughly \$240 per month or about \$28,800 over the 10-year period if all districts participate in the exemption. The City would forego roughly \$9,000 (in today's dollars) of tax revenues over 10 years for the unit, with other taxing districts forgoing approximately \$19,800.

While Newport's tax rates would differ from this example in Washington County, this example shows that the impact to City tax revenues would be minimal while providing much needed support for low- and middle-income homeowners.

¹ ORS 307.657. HOLTE allows cities to adopt standards and guidelines to be utilized in considering applications and making the determinations required under ORS 307.651 to 307.687, **including but not limited to:** (a) Design elements for construction of the single-unit housing proposed to be exempt. (b) Extension of public benefits from the construction of the single-unit housing beyond the period of exemption. The City should review desired requirements with the City attorney before enacting.

² Based on the exemption of land value from property taxes allowed in ORS 307.162.

How much impact could this exemption have on Newport? Before adopting the HOLTE, the City should evaluate the potential impact on property tax revenues resulting from HOLTE. The City may want to consider capping the number of households it grants HOLTE exemptions to on an annual basis. The City may also want to run a pilot project for HOLTE, to evaluate its impact and effectiveness.

City Role

Implement the exemption and execute on reporting and administration procedures

Partners

Overlapping taxing districts

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low and moderate income	Up to 120% of MFI	Ownership	Small

Potential Risks

The City and participating taxing districts will lose property tax income for the duration of the exemption, reducing revenue for City services and revenue for participating taxing districts. If the City does not put a cap on the number of HOLTE applications it could grant each year, the City may be overwhelmed with applications.

Implementation Steps

- Evaluate the tradeoffs of implementing HOLTE with various program parameters. Consider establishing an income cap (i.e., below 120% MFI) and owner occupancy requirements (i.e., demonstrate that they do not own another home) for eligibility in the HOLTE program. Verify legality of requirements with City attorney.
- Seek support from overlapping taxing districts to offer the exemption for all property taxes (not just the City's portion).
- Discuss topic with City Council at work sessions and in public hearings. City Council may choose to adopt HOLTE by resolution or ordinance following a public hearing.
- Follow up with overlapping taxing districts to request that they pass resolutions to support the exemption.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Consider setting a limit for foregone revenues on an annual basis, or an annual unit cap.

C. Reduce development code barriers for housing development

Rationale

Removing barriers such as complex or restrictive building codes can make housing development less difficult, time consuming, and costly. Increasing development densities can also increase financial feasibility of building new multifamily housing. This could attract more developers to the area or encourage developers already working in Newport to look for other properties to develop.

Description

Newport has multiple barriers in its Development Code that are limiting or preventing denser housing development. As identified by the PAC and City staff, barriers in Newport's development code that makes housing development more challenging includes:

- **Building height limit.** The current building height limit is 35 feet. In most cases, this limits development to 2- to 2.5-stories, especially for buildings with a peaked roof. Increasing the height limit to allow 3 full stories (which could be a height limit of about 40 feet) can help make multifamily development more financially feasible. The City could increase building height limitations in selected areas of the City, in selected zoning districts, or both.
- **Parking requirements.** Off-street parking requirements increase the cost of developing housing. In Nye Beach, on-street parking credits reduce the required number of off-street parking spaces by one off-street parking space for every one on-street parking space abutting the property. Expanding on-street parking credits to areas beyond Nye Beach that have fully developed street sections would reduce off-street parking requirements and help lower the cost of development.
- **Variance process for development on hillsides.** The commonly given variances to the 15-foot setback requirement for front yards requires a hearing with the Planning Commission. The City could remove the requirement for a setback variance process for development on hillsides, possibly with setting specific lot coverage ratios, to ensure that the new house is actually built closer to the street.
- **Allow transitional housing development.** Some cities allow for development of temporary housing, a form of transitional housing, meant to bridge the gap between houselessness and permanent housing.
- **RV requirements.** Evaluate adjusting the City's development code to allow RV parks that allow long-term occupancy of RVs in a safe and clean place.

There may be other zoning barriers to producing housing that the City uncovers as it reviews its zoning code. The City should consider if/how they can update Newport's Development Code to alleviate these barriers while still achieving other City goals (scenic views, solar impacts).

City Role

The City would amend the Development Code.

Partners

Conversations with developers could help inform new policies

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low-, very low-, low- and middle-income households	All incomes	Renter and Owner	Moderate

Potential Risks

Reducing development code barriers to achieve greater development must be balanced with other City objectives such as preserving scenic views and open space (among others).

Implementation Steps

- Further engage the development community to better understand how the development code is impacting development of housing development, focusing on the barriers described above.
- Review the barriers in Newport's Development Code and consider implementing revisions such as those described above.
- If appropriate, revise the Newport Development Code to implement the revisions outlined above and other identified barriers by working with the Planning Commission and City Council through a public process.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Staff time and available City tools and resources will be relied on to accomplish this strategy.

D. Adjust the Allocation of the Construction Excise Tax (CET) to support affordable housing development

Rationale

CET is one of few options to generate additional, locally controlled funding for affordable housing. It is a flexible funding source, especially for funds derived from commercial/industrial development and offers the ability to link industrial or other employment investments, which generate new jobs and demand for new housing, with funding for housing development.

Description

The City adopted a Construction Excise Tax (CET) in 2017, which is levied on new residential, commercial, and industrial development. The City charges the maximum allowed by State law for new residential development (1% of the permit valuation) as well as 1% of commercial and industrial permit values.³ The CET has created a dedicated source of funding for affordable housing in Newport, which collected a little more than \$540,000 since its inception.

The allowed uses for CET funding are defined by state statute:

- The City may retain up to 4% of funds to cover administrative costs. The funds remaining must be allocated as follows, depending on whether the CET is on residential or commercial and industrial development.
- For a residential CET:
 - 50% must be used for developer incentives for multifamily housing. These incentives could include City payment of permit fees and SDCs for development, tax abatements, or finance-based incentives. The City may use the CET to fund voluntary developer incentives that:
 - Increase the number of affordable housing units in a development
 - Decrease the sale or rental price of affordable housing units in a development
 - Build affordable housing units that are affordable to households with incomes equal to or lower than 80% of MFI.⁴
 - 35% may be used flexibly for affordable housing programs, as defined by the jurisdiction.
 - 15% flows to Oregon Housing and Community Services for homeownership programs that provide down payment assistance in Newport
- The State allows for more flexible use of commercial/industrial CET:
 - 50% of the funds must be used for housing-related programs, as defined by the jurisdiction (note that these funds are not necessarily limited to affordable housing).
 - The remaining 50% is unrestricted.

The City currently allocates all CET funds toward affordable housing according to the percentages required for the residential CET. However, the City has not fully determined how to spend its CET funds, only spending: (1) the 15% of funds that flows to Oregon Housing and Community Services for homeownership programs and (2) matching state funding to Proud Ground for down-payment assistance grants. The City had a balance of about \$540,000 beginning Fiscal Year 2022.

³ There is no cap on the rate applied to commercial and industrial construction.

⁴ Based on information in ORS 197.309(7).

Currently CET funds are designated for the following uses:

	Current Allocations of Residential CET funds	Current Allocations for Commercial and Industrial CET funds	Total
Affordable Housing – Flexible Use (35%)	\$159,096	\$23,517	\$182,613
OHCS Down Payment Assistance (15%)	\$68,118	\$10,763	\$78,881
Affordable Housing – Restricted to developer incentives (50%)	\$226,047	\$34,641	\$260,688
Total	\$453,261	\$68,921	\$522,182

The City needs to decide:

- **How to spend the existing funds.** These funds could be used to backfill SDC costs or development fees for housing affordable to households with incomes of 80% to 120% of MFI. Some of these funds could be spent on programs to address homelessness, like establishing a low-barrier emergency shelter. There are many other ways that these funds could be spent for affordable housing.
- **Should the City spend commercial/industrial CET differently than residential CET.** The City should consider changing how to spend the funds from the commercial/industrial CET, which constituted about 13% of collections between 2017 and 2022, to dedicate more funds for flexible use. This would allow the City to spend on specific housing priorities, like establishing a low-barrier emergency shelter, supporting affordable homeownership as part a community land trust, or other priorities. Based on collections between 2017 and 2022, this would have generated about \$69,000 for flexible use.

In the “Potential Allocation” example below, the change from the City’s current allocation is allocating all the commercial and industrial CET to the Affordable Housing Flexible Use category.

CET Collections Scenario (using CET collections between 2017 and 2022)

	Current CET Allocations (residential and commercial/ industrial)	Potential Allocation (with all commercial/ industrial CET to flexible use fund)	Change
Affordable Housing – Flexible Use (35%)	\$182,613	\$228,017	\$45,404
OHCS Down Payment Assistance (15%)	\$78,881	\$68,118	(\$10,763)
Affordable Housing – Restricted to developer incentives (50%)	\$260,688	\$226,047	(\$34,641)

City Role

The City would implement the plans for using CET funds for affordable housing development. Given the pace of collections, it may be advisable to allow them to accrue for a few years between periods when they are used.

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low-, very low-, low- and middle-income households	0-120% MFI	Renter and Owner	Moderate

Potential Risks

Since the revenue is generated from building permits, when new development activity slows, less revenue is collected.

Implementation Steps

- Adjust the allocation of the commercial/industrial CET funds to be used in the affordable housing flexible use fund. This would give the City flexibility to spend the funds on specific housing priorities, like establishing a low-barrier emergency shelter, supporting affordable homeownership as part a community land trust, or other priorities.
- Use CET flexible funds on an as-needed basis to leverage other opportunities, recognizing the pace of accrual of funds over time.
- Begin to distribute funds for affordable housing incentives in a programmatic manner to support market-rate multifamily development based on policy direction from the City Council.
- Continue to partner with land trusts or organizations that offer similar services for affordable homeownership to fully leverage the CET funds that go to OHCS for down payment assistance.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

CET funding relies on an active construction cycle and, as such, fluctuates from year to year. Can only be used for capital projects. Funds can be used for preservation or for new construction.

E. Lobby the Legislature for more resources to support housing development and to remove regulatory barriers to housing development

Rationale

Cities have limited resources available to support housing development, particularly funding for the large-scale infrastructure needed to expand into undeveloped areas. By expanding the tools cities can access raise local funds, providing greater direct financial support for infrastructure, and reducing regulatory barriers to development, the state can equip Newport and other cities with the resources they need to support housing development.

Description

Newport could lobby the Oregon Legislature to increase funding for infrastructure and housing development as well as lobby for changes to regulations that would make development easier.

Examples include:

- Lobby to allow cities to establish a **real estate transfer tax** to fund land banking and other types of housing support, specifically in cities where the median housing cost is significantly higher than what the local workforce can afford.
- Lobby to **allow cities to use restricted transient lodging tax** funds to support development of housing (or infrastructure to support housing) for people working in service industries and other lower wage jobs in the City.
- Lobby to allow cities to implement a **vacancy tax or second home tax** which could help reduce the number of second homes and vacation rentals in a City and increase the housing stock for residents and workers.
- Advocate for **streamlining state building codes to allow a greater variety of prefabricated structures** (modular housing), including prefabricated housing produced in different states.
- Lobby to **change the Local Improvement District statutes** to allow participants to pay off assessments through property taxes, rather than requiring a lump sum payment, which is difficult for many property owners.
- Lobby to **simplify the UGB amendment process**; make it easier for cities to swap land that cannot be cost effectively served or expand the UGB when necessary to accommodate growth.

City Role

Collaborate with partners and support lobbying efforts. The City would need to decide what level of involvement it wants to have.

Partners

Partners would vary based on the changes being pursued. Potential partners could include League of Oregon City, nonprofits, developers, local government agencies, other cities, Lincoln County, concerned citizens

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All households	All incomes	Renter and Owner	Moderate to Large

Potential Risks

Efforts may not result in desired changes

Implementation Steps

- Work with partners to refine proposals for the legislative issues identified above, with a focus on achieving desired outcomes while avoiding unintended consequences.

- Work with local state elected representatives to champion the proposed changes.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The City would need to decide what level of resources it would dedicate to the lobbying effort.

F. Establish a low barrier emergency shelter and warming center in Newport

Rationale

People experiencing homelessness need access to long-term housing. The first step towards accessing long-term housing is often through low barrier emergency shelters, which is intended to meet the needs of people experiencing homelessness with more barriers to shelter such as people with behavioral health issues or a criminal background.

Description

A low barrier emergency shelter should meet the needs of all members of a household, including infants and children and should avoid splitting up family members to access shelter. The shelter should not turn people away or make access contingent on sobriety, minimum income requirements, or lack of a criminal history. The shelter should provide a safe, decent, welcoming, and appropriate temporary living environment, where daily needs can be met while pathways back to safe living arrangements or directly into housing programs are being pursued.

The City could seek a partner to work with on development and operations of an emergency shelter, such as a qualified nonprofit operating in Lincoln County and partnering with Lincoln County for critical services.

The City could support development of an emergency shelter by revising land use regulations to allow shelters as an outright permitted use in designated zones. The City could also provide a site for the shelter (such as surplus City-owned land or designating an area for the emergency shelter), facilitate the permitting and review process for the shelter, and/or provide financial or other assistance to support development of the shelter. The City could initiate the process for developing a shelter by issuing a request for proposals for a shelter provider.

Building and operating the shelter will require assistance from many different partners. While the City would contribute funds to development of the shelter, other funding will be necessary to build the shelter. In addition, other partners could provide services to people experiencing homelessness who would use the shelter. Lincoln County might provide mental health services to people who stay at the shelter. The Lincoln County Housing Authority might help people at the shelter access long-term affordable housing.

City Role

Reduce land use barriers to shelter location, bring funding to bear to support the rehabilitation of an existing building for use as a shelter, or the construction of a new shelter, and partner with existing government, social service, or nonprofit organization(s) to operate the facility.

Partners

Lincoln County, service providers, faith-based organizations, other partners

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
People experiencing homelessness	Up to 30% MFI	Temporary	Moderate to Large

Potential Risks

The strategy will require explicit consideration of ongoing funding sources to sustain operations and to prevent excessive impact on any one organization. Neighbors may also see a resource center with an emergency shelter as a disruption to the neighborhood.

Implementation Steps

- Explore the City's land use regulations to allow shelters as an outright use in designated zones, potentially excluding heavy industrial and shoreland areas.
- Identify organizations to partner with, such as area nonprofits and Lincoln County to establish a plan to develop a permanent emergency shelter and warming center in Newport.
- Work with partners to identify a location and a lead organization for the resource center and preferred program and service parameters.
- Develop a finance and funding plan to support the resource center development and operations, including grants and other sources of funding.
 - Monitor for grants and leverage local, state, and federal funds and resources. The City should discuss what resources it can bring to the table (donated land, monetary resources, technical support, etc.).
- Conduct community outreach to educate the public about this action and gather support. The City will need to be active in its outreach, looking for opportunities to engage underrepresented and hard to reach community members.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The City will need to identify funding sources to support an emergency shelter.

G. Support development of a regional housing entity focused on low- and middle-income housing development

Rationale

Households with low and moderate incomes (between 60% and 120% of MFI) across Lincoln County are experiencing affordability barriers to accessing housing. Meanwhile cities across the region have limited resources (financial and otherwise) to support housing development. By supporting development of a regional housing entity, cities, the County, and other local partners can pool resources to support housing development and better address housing needs at the regional level.

Description

Much of the resources available to support development of affordable housing are targeted at building income-restricted affordable housing, affordable to households earning 60% or less of MFI. There are fewer programs and resources available to support development of housing affordable to households with low and moderate incomes (incomes between 60% and 120% of MFI). While more resources are needed to support development of all types of affordable housing, this action focuses on a regional effort to support development of housing affordable to low and middle income households. In Newport, people with these income levels struggle to find housing, resulting in higher rates of cost burden (especially for renters), commuting from outlying areas, or overcrowding.

Newport wants an active role in supporting low- and moderate-income housing development, but limited resources make it challenging for the City to remove barriers to development of affordable housing on its own. Newport, along with other cities and local partners in Lincoln County, could work together to build the capacity of existing partners such as the Housing Authority of Lincoln County to expand housing support to households making between 60% and 120% MFI. Regional partners would bring their own funding sources to the table and would pay to resource the regional housing entity.

The regional housing entity could support a regional land banking strategy, retaining staff who can oversee and manage a portfolio of banked land and help facilitate the development of land. Through land banking, the region can provide a pipeline of land for future development and control the type of development that may occur on that land.

The regional housing entity could be scalable based on the needs and wants of participating partners.

Newport could support the regional housing entity in the following ways:

- Engage other cities to build momentum for a regional housing approach.
- Dedicate land to a land bank managed by the regional housing entity.
- Provide funds such as from Urban Renewal or CET to support land banking and other regional housing services.
- Provide limited staff support.

City Role

The City would be a partner in this effort and could take on other roles such as providing funding or resources to support the regional housing entity

Partners

Cities in Lincoln County, Lincoln County, other government partners, service providers

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low and middle income	60%-120% MFI	Renter and Owner	Moderate

Potential Risks

For this effort to be successful partners across the County would need to commit to supporting this effort.

Implementation Steps

- Engage other cities and local partners to build momentum for a regional housing approach to address workforce housing needs as the gap that the regional housing entity would fill.
- If there is interest in pursuing a regional housing entity, work with partners to determine what this regional housing entity should focus on and who within the county may be best suited to play the regional housing entity role.
- Determine the specifics of Newport's role in supporting the regional housing entity.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The City would need to decide what level of financial support it would dedicate to the regional housing entity and identify a funding source.

H. Participate in the regional homelessness action plan

Rationale

Newport is not alone in its challenges around housing affordability and homelessness. Homelessness has been on the rise in Lincoln County and many other regions across the state. By developing a regional approach to addressing homelessness, cities and the County can align efforts and pool resources to address the systemic challenges that are driving the homelessness crisis.

Description

Homelessness in Lincoln County has been on the rise. The primary causes of homelessness include job loss, mental health issues, substance abuse, evictions, foreclosures and possibly transition from incarceration, as well as structural issues such as increasing rents and lack of affordable housing. Lincoln County was selected to participate in a homelessness response coordination pilot program and was awarded one of eight grants in the state. The grant requires participating entities to formulate, organize and manage an Advisory Board, stand up a coordinated homeless response office and prepare a 5-Year Strategy to Reduce Homelessness.

Newport should actively engage and assist the County and other partners in the development and implementation of the 5-year strategic plan to reduce homelessness. Newport could dedicate resources to addressing homelessness in alignment with the regional plan.

City Role

Participate in the regional action planning process

Partners

Cities in Lincoln County, Lincoln County, other government partners, service providers

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
People experiencing homelessness	Up to 30% MFI	Temporary	Moderate

Potential Risks

For this effort to be successful partners across the County would need to commit to supporting this effort.

Implementation Steps

- Participate in the development of the regional homelessness action plan as a part of the Advisory Board.
- Commit to implementing the plan recommendations as they relate to the City's responsibilities.
- Identify funding sources to support plan implementation in consultation with partners.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The City would need to decide what level of financial support it would dedicate to implementing the action plan and identify a funding source.

I. Pay System Development Charges (SDC) for workforce housing

Rationale

The City of Newport collects System Development Charges (SDCs) for wastewater, water, stormwater, transportation and parks. These fees add to the barriers of producing workforce housing in Newport. Programs that backfill (i.e., City pays for) Systems Development Charge fees directly reduce development costs and can incentivize development of qualifying housing types or building features.

Description

The City could pay the cost of SDCs for workforce housing but would need to use non-SDC City funds to backfill the costs of SDC, for a range of housing types such as cottage housing, townhouses, plex housing, and multifamily housing. To do this, the City would require a funding source to pay the costs of SDCs, such as Urban Renewal (in urban renewal areas) or CET revenue. SDC subsidies should be scaled to the percent of units in the project that are affordable.

City Role

The City would create a program with specific eligibility criteria

Partners

Area developers

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low-, very low-, low- and middle-income households	0-120% MFI	Renter and Owner	Small

Potential Risks

Money used to pay for SDCs would be unavailable for other housing programs. Available funding may vary from year to year especially if CET is used to pay for SDCs.

Implementation Steps

- Engage the development community to better understand how the City's backfilling of SDCs could be effective at encouraging workforce housing development.
- Determine which funding sources would be used to backfill SDC revenues.
- Develop eligibility criteria for when the City would pay SDCs for a project (e.g., project size, depth of affordability, and other criteria).
- Establish an application process for developers to apply for the SDC buy-down program.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The City could consider paying for SDCs from CET or Urban Renewal funds.

J. Grow partnerships with Community Land Trusts

Rationale

Land trusts support affordable housing development by holding land in perpetuity and selling or leasing the housing on the land at below-market rate prices. Land trusts most frequently provide opportunities for homeownership that remain affordable over the long-term.

Description

A land trust is typically managed by a nonprofit organization that owns land and sells/leases the housing on the land to income-qualified buyers. Because the land is not included in the housing price for tenants/buyers, land trusts can achieve below-market pricing. Land trusts are commonly used as a method for supporting affordable home ownership goals.

The City may participate in a community land trust that is operated by an existing entity, often a nonprofit organization. The City's role in a community land trust could be as a partner, possibly assisting the trust with land acquisition through land banking, or by providing funding for homebuyer down-payment assistance grants or to support housing development.

The City already has relationships with two land trusts - Proud Ground and DevNW that operate in the region. A portion of the affordable housing construction excise tax that the City collects and remits to Oregon Housing and Community Services (OHCS) is to be made available locally as down-payment assistance grants, and land trusts are a key partner in making that happen. The City could dedicate additional resources to support these land trusts in Newport or develop relationships with other land trusts in the region.

City Role

Continue to partner with, and provide resources to, local land trusts

Partners

Nonprofits including Proud Ground and DevNW

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Low and moderate income	Up to 120% of MFI	Ownership	Small

Potential Risks

Land trusts keep housing affordable in perpetuity, but the cost of purchasing or constructing housing that is affordable to lower income households for homeownership is substantial. This means the number of households who would benefit would be small and could generate questions about the equity and fairness of who receives the benefits.

Implementation Steps

- Engage with existing land trusts operating in Newport to understand opportunities for expanding land trust activities, including the funding and other resources necessary to expand their footprint and increase capacity to support Newport households.
- Identify opportunities to acquire land in urban renewal areas that can be developed in partnership with land trusts.
- Explore additional opportunities for partnerships with land trusts not yet operating in Newport

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Partnering is the most administratively efficient and cost-efficient approach to implementing this strategy. If the City is contributing land to the land trust at low- or no-cost, then the City is forgoing realizing the value of the land if it was sold on the open market. If the City contributes funds to the land trust, the City will need to identify a source of funding for the contributions.

K. Support outreach and education to promote equitable housing access

Rationale

Proactively reaching out to the community, particularly underserved populations, can help the City better understand the housing needs of its residents and provides an opportunity for community members to learn about existing housing resources that can support housing access and stability. Communicating effectively with landlords and residents about fair housing laws and available resources can also help ensure equitable access to housing, preventing, and addressing housing discrimination.

Description

A challenge to supporting affordable housing development is making sure that decision makers, stakeholders, and the community have a common understanding of the problem. When undertaking housing initiatives, the City should prioritize community outreach, especially with groups who are underrepresented in community conversations and are hard to reach, such as non-English speaking community members. Through this effort the City could, where appropriate, provide opportunities for community members to share their stories of housing problems, documenting them in a way to tell the story of unmet housing needs by people who live in Newport. The City could also provide information to community members about existing programs and actions the City has taken to address affordable housing.

The City could highlight work that existing partners do to educate residents, property owners, realtors, lenders and others involved in real estate transactions about Fair Housing. The City could work with these partners, providing information and referrals.

Effective outreach requires substantial effort from staff and/or funding to pay consultants to do the outreach, so City's efforts in this regard need to be strategic. The City should engage with partner organizations to better understand their outreach efforts and how the City might complement their initiatives and build upon it year-over-year.

City Role

Partner with organizations that provide Fair Housing education; conduct community outreach

Partners and their Role

Local nonprofits and service providers, Fair Housing Council of Oregon

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low, very-low, low-, and middle-income residents and communities of color, and all state and federal protected classes	All income levels	Renter or Owner	No units produced directly

Potential Risks

Effective outreach requires substantial effort from staff and/or funding to pay consultants to do the outreach.

Implementation Steps

- Engage with partner organizations to identify steps they are taking to educate the community about housing opportunities and how the City could compliment those efforts.
- Develop materials to raise awareness of City role and responsibilities as it relates to the provision of housing within the community, including new printed and online materials, and

proactively market City housing programs to those who can benefit from them, particularly underrepresented and difficult to reach communities. Ensure materials are available in Spanish and are available in places where community members frequent.

- Ensure that City sponsored housing initiatives include outreach to underrepresented and difficult to reach community members, and that the feedback received is used to inform those efforts.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Staff time and City tools and resources will be relied on to accomplish this strategy.

L. Pursue an Urban Growth Management Agreement (UGMA) with the County

Rationale

Newport does not have a growth management agreement (UGMA) with Lincoln County that lays out the roles, responsibilities, and agreements for managing the Urban Growth Boundary (UGB) and land between the City limits and Newport UGB (called the “urbanizing area”). The lack of such an agreement can cause confusion and delay in actions related to changing Newport’s UGB, such as “swapping” undevelopable land from within the UGB to outside of the UGB and bringing in land better suited for development into the UGB.

Description

Most cities have an agreement with the county about how land within the UGB but outside of city limits will be managed.⁵ Development of land in this area is generally subject to county development code and regulation, however cities have a strong interest in this land as it will accommodate future population and employment growth. An UGMA spells out the roles and responsibilities of managing this land and expansion of or change to a UGB between the city and county. UGMAs usually include guidelines around annexation, land divisions, zoning, service districts, infrastructure, land use review procedures, and procedures to amend the UGMA. All UGMAs address planning authority and address boundary amendments.

This action would result in development of an intergovernmental agreement (IGA) between Lincoln County and Newport about how land within Newport’s urbanizing area and changes to the UGB will be administered by each party.

City Role

Initiate development of an IGA with Lincoln County for a growth management agreement.

Partners

Lincoln County

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
All	All Incomes	Renter and Owner	Small

Potential Risks

Newport will need to be intentional in establishing policies that benefit the City when lands become the jurisdiction of the City.

Implementation Steps

- Working with the County, agree on policies about the land use and other goals to regulate land within Newport’s UGB but outside of the City limits.
- Identify steps that both jurisdictions will follow when considering UGB amendments.
- Negotiate the terms of the UGMA with the County.

⁵ The legal obligation for cities and counties to establish UGMAs is found in sections of Oregon Administrative Rules (OAR) Chapter 660.

- Approve the agreement. The agreement must be approved by both the city and county and be certified by DLCD.
- Implement the agreement.

Implementation Timeline

To be filled in later

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

Staff time will be relied on to accomplish this strategy.

M. Research rental housing maintenance code feasibility

Rationale

Adoption of a Rental Housing Maintenance Code could help ensure that Newport's rental housing stock is well maintained and could improve the health, safety, and well-being of residents that rent in Newport. Advisory Committee members and other stakeholders cited the condition of Newport's housing stock as a concern.

Description

Oregon landlord-tenant law requires that rental properties are kept in habitable condition, including specific standards for heat, water, plumbing, weather protection, and more. A local Rental Housing Maintenance Code is an adopted ordinance which requires landlords to maintain their rental properties to particular habitability standards. A maintenance code can help renters and property owners communicate and resolve issues without City involvement / legal action. It may allow the City to resolve landlord-tenant disputes more effectively regarding the conditions of a dwelling rather than solely relying upon the nuisance abatement process.

The City of Newport could consider implementing a similar Rental Housing Maintenance Code as the City of Eugene's which covers 10 subject areas: heating, plumbing, security, electrical, appliances, smoke detection, structural integrity, weatherproofing, carbon monoxide alarms, and pest control for rats. The Eugene Code allows for complaints to be filed and investigated by the City. If the complaint is valid, the City notices the property owner or owner's agent of the violation that includes directions about how to resolve the violations (required repairs) and when they are to be completed. A property owner's or the owner's agent do have due process appeal rights under the program. The Program is funded by property owners registering their property(ies) and paying an annual \$20/unit fee to the City, which offsets the administration costs of the program. The Program also exempts payment of the fee (but not compliance with standards) for deed restricted affordable units for households at or below 60 percent of AMI, and rentals that have been approved by the City for an exemption from some other property taxes for low-income housing, and properties of the Housing Authority.

The City could research the feasibility of implementing such a program at the City of Newport by engaging (separately and collectively) local property management companies, property owners, tenant rights organizations, and community organizations. The City could engage with anonymous tenants aware of the relationship between property maintenance, tenant safety, and well-being. After understanding any problems, the City would seek feedback from stakeholders on how to address property maintenance problems, which may include the adoption of a Rental Maintenance Code by the City and report findings to the City Council.

City Role

Conduct outreach and research; draft ordinance

Partners and their Role

Anticipated Impacts

Populations Served	Income	Housing Tenure	Magnitude of New Units Produced
Extremely low, very-low, low-, and middle-income residents	All income levels	Renter	Small

Potential Risks

This could require considerable amount of staff time to monitor and enforce

Implementation Steps

- Develop an inventory of rental properties with contact information of property managers and owners.
- Conduct outreach with renters, owners, property managers and other affected stakeholders to determine the extent of property maintenance problems, how they affect tenant safety and well-being, and if City rental housing maintenance regulations might be effective in addressing the issues.
- Identify the resources needed to implement a rental housing maintenance code program, including relevant regulations, staff, and equipment requirements.
- Engage policy makers to determine if a rental housing maintenance program should be pursued and how it would be funded.
- Develop and implement the rental housing maintenance code, which may require engagement of a consultant with expertise in this area.

Implementation Timeline

Timeline for Adoption	Implementation to Commence	Timeframe of Impact

Funding or Revenue Implications

The city would need to cover the costs of the program, which could include a fee on rental properties. In addition, enforcing this code could require a substantial amount of staff time.

Use of the Actions to Support Different Housing Outcomes

Many of the actions and funding tools discussed in this memorandum can be used to meet housing needs at different income levels and support different housing outcomes. This section describes how groupings of actions, are necessary to work together to meet Newport's housing needs.

These groupings will be refined based on discussion at the December 15, 2022, PAC meeting. The draft groupings are:

- **Encourage development of income-restricted affordable housing units.** There are limited options available in Newport that are affordable to households with income of less than 60% of MFI (income of \$34,400 for a family of four people). This initiative supports development of housing affordable in this income group.
- **Remove barriers to development of low- and moderate-income affordable rental housing.** This initiative seeks to increase the housing options for unregulated rental households earning between 60% and 120% of MFI (\$34,400 to \$68,900).
- **Increase opportunities for affordable homeownership.** This initiative seeks to increase the housing options for homeownership for households earning less 120% of MFI (less than \$68,900).
- **Preserve existing of low- and moderate-income affordable housing.** This initiative seeks to increase the housing options for rental households earning less than 120% of MFI (less than \$68,900).
- **Address homelessness.** This initiative seeks to remove barriers and support access to temporary and longer-term housing solutions for those experiencing homelessness and housing insecurity.

Exhibit 2. Housing Initiatives and the Potential Actions

■ Primary Focus of the initiative □ Secondary Focus of the initiative

Potential Action	Development of Income- Restricted Affordable Housing	Development of Low/Moderate Income Rental Housing	Increase Affordable Homeownership	Preserve Existing Low- to Moderate- Income Affordable Housing	Address Homelessness
MFI	Up to 60% MFI	60% – 120% MFI	Up to 120% MFI	Up to 120% MFI	
A. Use Urban Renewal to support housing and infrastructure development	■	■	■	□	□
B. Implement the Homebuyer Opportunity Limited Tax Exemption			■	□	
C. Reduce development code barriers to housing development	■	■		□	
D. Adjust the allocation of the Construction Excise Tax (CET) to support affordable housing development	■	■	■	□	□
E. Lobby the Legislature for more resources to support housing development and remove regulatory barriers to housing development	■	■	■	■	■
F. Establish a low barrier emergency shelter and warming center in Newport					■
G. Support development of a regional housing entity focused on low- and middle-income		■	■		
H. Participate in the regional homelessness action plan	□				■
I. Pay System Development Charges (SDC) for workforce housing	■	■	■		
J. Grow partnerships with Community Land Trusts			■	□	
K. Support outreach and education to promote equitable housing access	■	■	■	■	■
L. Pursue an Urban Growth Management Agreement (UGMA) with the County	□	□	□		
M. Research rental housing maintenance code feasibility				■	

Appendix A: Evaluation Criteria for Actions

This appendix summarizes the evaluation criteria used to evaluate actions for inclusion in the HPS. The evaluation criteria (summarized below) fall into seven categories: MFI targeted, housing type targeted, impact, administrative burden, funding required, ease of implementation, and flexibility.

Evaluation Criteria

The proposed evaluation criteria (summarized below) fall into seven categories: MFI targeted, housing type targeted, development impact, administrative burden, funding required, political acceptability, and flexibility.

MFI Targeted

Newport would like to see development and preservation of housing affordable at all income levels. We define income levels based on 2022 Median Family Income for Lincoln County (as defined by the U.S. Department of Housing and Urban Development) for a household of four people, as follows:

Extremely Low and Low Income	Low Income	Middle Income	High Income
Extremely Low Income: Less than 30% MFI Less than \$17,200	50% to 80% of MFI \$28,700 to \$45,900	80% to 120% of MFI \$45,900 to \$68,900	120% of MFI+ \$68,900+
Very-Low Income: 30% to 50% of MFI \$17,200 to \$28,700			
33% of households	15% of households	18% of households	33% of households
Can afford \$720 or less in monthly housing costs.	Can afford \$720 to \$1,150 in monthly housing costs.	Can afford \$1,150 to \$1,720 in monthly housing costs.	Can afford \$1,720 or more in monthly housing costs.

Housing Types Targeted

What types of housing does this action support? Newport would like to see development and preservation of different types of housing. We examine how the action will support the development and/or preservation of different housing according to the following types:

Single Family, Detached	Middle Housing	Multifamily	Temporary Housing
Single family, detached Small lot Cottage housing Manufactured housing	Townhouses Duplexes Triplexes Quadplexes	Housing with 5 or more units/structure	Emergency shelter Temporary housing

Impact

Does the action result in a little or a lot of change in the housing market? How many units might be produced? Can the tool leverage investments from other partners? How long will the impact last? The scale of impact depends on conditions in the City, such as other existing or newly implemented housing policies, land supply, and housing market conditions. We define the scale of impact as follows:

Small	Moderate	Large
Will not directly result in development of new housing or it may result in development of a small amount of new housing. May not improve housing affordability in and of itself.	Could directly result in development of new housing. May not improve housing affordability in and of itself.	Could directly result in development of new housing. May improve housing affordability in and of itself but may still need to work with other policies to increase housing development feasibility.
~1-3% of needed housing 7 to 19 new dwelling units ⁶	~3% to 5% of needed housing 19 to 32 new dwelling units	~5% to 10% (or more) of needed housing 32 to 63 new dwelling units

Administrative Burden

How much staff time is required to implement the action? Is it difficult to administer once it is in place? We define administrative complexity, as follows:

Low	Medium	High
Requires some staff time to develop the action and requires some on-going staff time to implement the action.	Requires more staff time to develop the action and requires more on-going staff time to implement the action.	Requires significant staff time to develop the action and/or significant on-going staff time to implement the action.

Funding Required

What financial resources are required to implement the action? This includes the cost to establish and maintain a program. For funding sources, the easier it is to administer the tax or fee, the more net revenue will be available to offset costs for housing production or preservation. We define funding required, as follows:

Low	Medium	High
Has relatively small funding impacts.	Has relatively moderate funding impacts.	Has relatively larger funding impacts.

⁶ Newport's Capacity Needs Analysis projects that the City will grow by 626 new dwelling units between 2022 and 2042.

Ease of Implementation

Ease of Implementation assesses the difficulty of implementing the action in terms of coordination with elected officials and stakeholders. It considers expected political acceptability for elected officials and the public at large. If the action is dependent on the action of another organizational entity, the action is less likely than if the City controlled all aspects of tool implementation. We define ease of implementation, as follows:

	Low	Medium	High
Potential resistance from stakeholder groups, the public at large, and/or elected officials	Likely significant resistance	Moderate resistance	Little resistance
Coordination with another entity required	Significant	One-time or ongoing coordination	Little or none
Planning Commission review and/or City Council acceptance/adoption required	Review and adoption required	Review and/or adoption required	Review required

Flexibility

Flexibility assesses whether the action can be flexibly used to achieve multiple outcomes? Does it have legal limitations or other barriers that limit its utility for achieving goals of supporting housing development, increasing housing stability or other HPS goals? This category considers limitations on the types of projects that can be implemented with a given action. Given development market cycles, a funding source especially may be less useful to the City if its use is limited to certain types of projects.

We define feasibility, as follows:

Low	Medium	High
The action can be used in specific situations, to achieve specific outcomes with little flexibility in its use.	The action can be used flexibly for multiple outcomes but there may be some barriers on its use. It can be used in somewhat specific situations.	The action can be used to achieve multiple outcomes, has few barriers on its use, or supports multiple goals in the HPS. It can be used in many situations.

Appendix B: Existing Policies to Address Newport's Housing Needs

Since Newport last completed its Housing Needs Analysis in 2011, the City has implemented many programs and policies to support housing development detailed below

- **Tax Incentives for Affordable Housing:** In the fall of 2017, the Newport City Council established two tax incentive programs and Lincoln County adopted a resolution committing it to participate in the programs, which expanded the potential tax benefits.
 - **Non-Profit Corporation Low-Income Housing Tax Exemption:** The first is targeted to non-profit corporations that operate income-limited rental housing, specifically at 60 percent MFI in the first year of operation and up to 80 percent MFI in subsequent years. The exemption also applies to property held for development by such entities, for up to three years.
 - **Multiple Unit Property Tax Exemption:** The second program provides a 10-year property tax exemption on structural improvements on multi-family rental projects with an affordable component. Developers are required to reserve at least 20 percent of the units at 80 percent MFI (at least 3 units if new construction, 2 units in a remodel) and are subject to other standards. The developer of a 110-unit, state-subsidized private affordable housing project submitted the first application under the multiple unit program. All the units will be affordable at 60 percent MFI, and the developer will realize more than \$1.6 million in tax savings on structural improvements over the 10-year period. Newport's portion is roughly 40 percent of the total, meaning it will forgo a little more than \$665,000.
- **System Development Charges Policies:** Newport collects System Development Charges (SDCs) for all five eligible categories: water, wastewater, storm drainage, transportation, and parks. Recent changes in SDC policies benefit residential development and incentivize modestly sized homes.
 - **Updated System Development Charges Methodology:** Newport adopted a new SDC methodology in 2017, replacing the "one size fits all" formula, by establishing tiered price per square foot charges which reduce costs for smaller units. For example, the fee for a new home with 1,250 square feet of living space dropped from \$10,994 to \$5,189. The new methodology also reduced the list of SDC eligible capital projects leading to, on balance, lower per project assessments (creating room for an Affordable Housing CET). This change has led to a modest increase in the number of small homes and ADUs built in the City.
 - **Transferability of System Development Charge Credits:** In 2018 the City amended its SDC ordinance for credits granted for qualified public improvements. By statute, developers must use these credits within 10 years, which can be a challenge in small communities where the pace of development is modest. The new rules allow credits to be sold or donated so long as the receiving property includes a residential use,

and the credit is not more than 50 percent of the SDC assessment. This provision has been used twice, for the 110-unit subsidized housing project referenced above, and for a 66-unit market-rate multifamily project completed in 2021.

- **Revenue Sources to Support Housing Investments:** With the new SDC policy adopted in 2017, policymakers had room to consider an excise tax without significantly impacting up-front development costs. Newport has also used tax increment financing to support housing development.
- **Construction Excise Tax for Affordable Housing:** Adopted in the fall of 2017, the tax imposed is 1 percent of the permit value for construction that results in new or additional square footage for commercial and residential structures, with state-mandated exemptions for specific private and non-profit uses. The tax has created a dedicated source of funding for affordable housing, which collected a little more than \$540,000 since its inception. State law requires at least 50 percent of taxes collected from residential development must be used as developer incentives, such as reducing impact fees. Of the remaining amount, 35 percent can be used for “other affordable housing programs” and 15 percent is remitted to Oregon Housing and Community Services (OHCS) for its down payment assistance program. OHCS has committed to awarding those funds in Newport. Half of the tax collected from commercial projects must also be used to fund housing related programs.
- **Urban Renewal (Tax Increment Financing):** Newport has three urban renewal areas expected to generate \$30 million in infrastructure improvements over the next 20 years to catalyze new development. This tool requires thoughtful engagement with all affected taxing entities to dedicate future tax revenues toward these investments. Newport often uses urban renewal funds as a match for state and federal grants, or in conjunction with funds from private partners. The City recently invested about \$120,000—with additional contributions from a developer—to improve a regional storm water detention facility so that a 26-unit, market-rate subdivision can be built. The improvements will accommodate run-off from other upstream residential properties.
- **Grants and Land Donations for Affordable Home Ownership:** The City has entered into partnerships with other jurisdictions and nonprofit partners to create affordable home ownership opportunities and help keep low-income owners in their homes.
- **Home Ownership Down Payment Assistance:** Newport, Lincoln City, and Lincoln County executed an agreement with Proud Ground, a community land trust from the Portland metro area, to provide eight down payment assistance grants for households making 80 to 120 percent of MFI. Proud Ground was able to leverage \$160,000 in local matching funds to create over \$770,000 in subsidy (including \$515,000 from the Governor’s Workforce Housing Initiative). Proud Ground, with support from the partners, held numerous homebuyer education meetings to help get qualified buyers into the pipeline. Three of these grants went to home purchases in Newport. The average subsidy per home required to fill the gap between the

mortgage the homeowners could afford and the price of the home on the market was \$87,228.

- **Habitat for Humanity Land Donation:** The City of Newport entered into a land donation agreement with Habitat for Humanity of Lincoln County for the construction of up to five owner-occupied units targeted to qualifying households earning between 40 and 80 percent of MFI. The first duplex project was completed in the spring of 2021, on a property valued at a little over \$100,000. Deed restrictions require that the properties will remain affordable for up to 20 years from the original sale.
- **Partnership with Lincoln Community Land Trust:** Beginning in 2015, the City partnered with the Lincoln Community Land Trust (LCLT) to provide operational support and gap financing for LCLT to create permanently affordable housing in Newport. LCLT merged with Proud Ground in 2018 and the City continues to support affordable homeownership on land trust properties through down payment assistance (see above).
- **Rehabilitation and Weatherization Programs:** Lincoln County and several of the incorporated cities, including Newport, obtained Community Development Block Grant (CDBG) funds to finance a housing rehabilitation loan program for low-income households. Participants were eligible for zero-interest, deferred payment loans that are typically repaid when the house is next sold. Changes to loan processing regulations since the Great Recession mean that the original loan servicer can no longer administer the program cost effectively. The partners have about \$2.75 million in the loan portfolio—including almost \$700,000 available to loan—and are considering options to continue the program, including working with a nonprofit on a new CDBG application to bring in additional resources. Newport executed an agreement with DevNW to continue this program in 2021.
- **Reduced Residential Street Widths.** The City of Newport updated its Transportation System Plan in 2022 to allow narrower streets in residential neighborhoods, reducing infrastructure costs for new subdivisions and infill projects. Streets in new subdivisions that will handle less than 500 vehicle trips per day can be designed as yield streets, which are 28-foot curb to curb, as compared to the 36-foot previously required. For infill projects fronting low-volume underdeveloped streets, developers may utilize a 16-foot, two-way through lane with 20-foot cleared area, or even a 12-foot wide road, with 30-foot long pullouts every 300-feet, in areas where there are fewer than 150 vehicle trips per day. The City's previous minimum roadway width for infill projects on substandard streets was 24-feet of paved width.

Newport Housing Funds - Revenue & Expenditures Summary

(Note: CET Adopted by Ordinance No. 2114, Effective September 6, 2017)

	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
CET Affordable Housing Admin (Acct #101-1900-46429) ¹	\$2,536	\$2,167	\$2,463	\$5,751	\$8,876
<u>Housing Fund 212</u>					
Affordable Housing General (Dept 4710)					
Beginning Fund Balance ²	\$112,742	\$135,433	\$146,615	\$153,697	\$203,378
Revenue					
CET Affordable Housing - Flexible Use ³	\$20,797	\$18,256	\$20,689	\$48,312	\$74,559
Interest on Investments	\$2,122	\$3,951	\$3,675	\$2,109	\$1,987
Total Revenue	\$22,919	\$22,207	\$24,364	\$50,421	\$76,546
Other Financing Sources					
Transfer from General Fund ⁴	\$6,278	\$6,278	\$0	\$0	\$0
Total Other Financing Sources	\$6,278	\$6,278	\$0	\$0	\$0
Amount Available for Appropriation	\$141,939	\$163,918	\$170,979	\$204,118	\$279,924
Expenditures					
Financial Professional Services	\$132	\$203	\$164	\$204	\$191
Other Operating Expenses ⁵	\$0	\$16,600	\$16,600	\$0	\$0
Services Provided by General Fund	\$6,374	\$500	\$518	\$536	\$555
Total Expenditures	\$6,506	\$17,303	\$17,282	\$740	\$746
Ending Fund Balance	\$135,433	\$146,615	\$153,697	\$203,378	\$279,178
Oregon Housing and Community Services (Dept 4720)					
Beginning Fund Balance	\$0	\$7,752	\$15,630	\$0	\$0
Revenue					
CET OHCS Down Payment Assistance	\$7,752	\$7,878	\$10,592	\$20,705	\$31,954
Total Revenue	\$7,752	\$7,878	\$10,592	\$20,705	\$31,954
Amount Available for Appropriation	\$7,752	\$15,630	\$26,222	\$20,705	\$31,954
Expenditures					
CET Expense (OHCS Remittance) ⁶	\$0	\$0	\$26,222	\$20,705	\$31,954
Total Expenditures	\$0	\$0	\$26,222	\$20,705	\$31,954
Ending Fund Balance	\$7,752	\$15,630	\$0	\$0	\$0
Affordable Housing Development Incentives (Dept 4730)					
Beginning Fund Balance	\$0	\$26,561	\$52,568	\$85,177	\$154,194
Revenue					
CET Affordable Housing - Restricted ⁷	\$26,561	\$26,007	\$32,609	\$69,017	\$106,494
Total Revenue	\$26,561	\$26,007	\$32,609	\$69,017	\$106,494
Amount Available for Appropriation	\$26,561	\$52,568	\$85,177	\$154,194	\$260,688
Expenditures					
CET Expense	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Ending Fund Balance	\$26,561	\$52,568	\$85,177	\$154,194	\$260,688

¹ This revenue account is the 4% the City is allowed by law to take out of CET collections to cover its administrative expenses.

² FY 17/18 balance is what was left from the original Housing Fund seed money that were proceeds from the sale of a property.

³ Represents 35% of CET collections, less administrative expenses. May be used for affordable housing programs or projects as defined by the City.

⁴ Transfer was made to offset "Services Provided by General Fund" expenditure to avoid draining down what at that time was a Housing Fund that did not have a dedicated revenue stream.

⁵ FY 18/19 and FY 19/20 were match for Proud Ground's state funding for down-payment assistance grants.

⁶ Represents 15% of CET collections, less administrative expenses. Must be sent to OHCS who then makes it available for down-payment assistance in Newport.

⁷ Represents 50% of CET collections, less administrative expenses. Must be used to reduce development fees, pay down property taxes, or other financial incentives to developers to construct housing at 80% MFI or more.

Newport Housing Funds - Revenue by Type

	<u>2017-2018</u>	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>Total</u>
CET Affordable Housing Admin (Acct #101-1900-46429)						
Residential Use (Res)	\$2,247	\$1,647	\$1,315	\$5,302	\$8,477	\$18,988
Commercial/Industrial Use (Com)	\$289	\$520	\$1,148	\$449	\$399	\$2,805
Total Revenue	\$2,536	\$2,167	\$2,463	\$5,751	\$8,876	\$21,793

Housing Fund 212

Affordable Housing General (Dept 4710) - 35% of Collections less Administrative Fee)

Revenue						
CET Affordable Housing - Flexible Use (Res)	\$18,426	\$13,875	\$11,048	\$44,544	\$71,204	\$159,096
CET Affordable Housing - Flexible Use (Com)	\$2,371	\$4,381	\$9,641	\$3,768	\$3,355	\$23,517
Total Revenue	\$20,797	\$18,256	\$20,689	\$48,312	\$74,559	\$182,613

Oregon Housing and Community Services (Dept 4720) - 15% of Collections less Administrative Fee)

Revenue						
CET OHCS Down Payment Assistance (Res)	\$6,868	\$5,987	\$5,656	\$19,090	\$30,516	\$68,118
CET OHCS Down Payment Assistance (Com)	\$884	\$1,891	\$4,936	\$1,615	\$1,438	\$10,763
Total Revenue	\$7,752	\$7,878	\$10,592	\$20,705	\$31,954	\$78,881

Affordable Housing Development Incentives (Dept 4730) - 50% of Collections less Administrative Fee)

Revenue						
CET Affordable Housing - Restricted (Res)	\$23,533	\$19,765	\$17,413	\$63,634	\$101,702	\$226,047
CET Affordable Housing - Restricted (Com)	\$3,028	\$6,242	\$15,196	\$5,383	\$4,792	\$34,641
Total Revenue	\$26,561	\$26,007	\$32,609	\$69,017	\$106,494	\$260,688
Residential/Commercial Split (%)	88.6/11.4	76.0/24.0	53.4/46.6	92.2/7.8	95.5/4.5	
Total Residential CET Collections for (35/50/15 Split):	\$453,261 (86.8% of total)					
Total Commercial Collections for (50/50 Split):	\$68,921 (13.2% of total)					
Total Collections Less Administrative Fee:	\$522,182					

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director

Date: February 9, 2023

Re: City Council Goals for Fiscal Year 2023/24

On January 30, 2023, the City Council met for the better part of a day to develop goals and objectives for the fiscal year that begins on July 1, 2023. The attached goals report outlines the process that the Council utilized to develop its goals. The document also organizes the goals and objectives in accordance with the six focus areas identified in the Vision 2040 document for the Greater Newport Area. The last section of the report covers various ideas that were identified by individual Council members at the goal setting session. Those highlighted in bold are items that garnered enough support that they have been incorporated as new goals and objectives of the group.

On February 6, 2023, the City Council approved the draft goals report and directed that it be submitted to the Vision 2040 Advisory Committee and to city administration to provide comments. A public hearing has been scheduled for March 6, 2023 for the Council to possibly adopt the goals.

Please take a moment to review the document and consider whether or not there are any comments you would like me to share with the City Manager or others in City Administration while these goals are still in draft form.

Attachments

Draft City Council Goals

DRAFT GOALS for Fiscal Year 2023-2024

GREATER NEWPORT AREA VISION 2040

In 2040, Greater Newport is the heart of the Oregon Coast, an enterprising, livable community that feels like home to residents and visitors alike. We live in harmony with our coastal environment - the ocean, beaches and bay, natural areas, rivers, and forests that sustain and renew us with their exceptional beauty, bounty, and outdoor recreation. Our community collaborates to create economic opportunities and living-wage jobs that help keep the Greater Newport Area dynamic, diverse, and affordable. We take pride in our community's education, innovation, and creativity, helping all our residents learn, grow, and thrive. Our community is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, support those in need, and work together as true partners in our shared future.

The City Council met in Council Chambers on Monday, January 30, 2023 from 9 AM to 3:25 PM to develop goals and objectives for the fiscal year beginning July 1, 2023.

Schedule for Goal Approval

The schedule for developing goals for Fiscal Year 2023-2024 is as follows:

January 30, 2023	Goal Setting Work Session.
February 6, 2023	Approve Draft Report for 2023-2024 Goals.
February 21, 2023	Review of Draft Goals by Vision 2040 Advisory Committee and Provides Comments to Council.
February 24, 2023	Review of Draft Goals and Comments by Staff to Incorporate in Report for Council.
February 28, 2023	Review of Goals by Budget Committee.
March 6, 2023	Public Hearing and Possible Adoption of Goals.

After hearing presentations from Department Heads on various departmental issues, reviewing advisory committee goals and department goals, as well as a summary of various planning efforts that have previously been done in the City of Newport, the Council proceeded with developing the draft goals and objectives for the fiscal year beginning July 1, 2023 and ending June 30, 2024. The Council first reviewed each goal and objective that was included in the adopted report for Fiscal Year 2022 – 2023 to update those items. City Council members also identified other specific goals or objectives for the coming fiscal year and wrote down those ideas on 5 x 8 index cards. At the end of the meeting, Council members were requested to limit their individual ideas to no more than seven index cards. Those cards were then categorized and placed for prioritization by the Council. Council members were provided seven stickers to individually identify their significant priorities to

be added to the revised list of goals and objectives reviewed by Council earlier. This was to determine the issues that are collectively most important. Items with three or more stickers have been included as a goal or objective in the draft 2023 – 2024 report.

The Council goals and objectives for this next fiscal year are organized by the six focus areas identified in the Greater Newport Area Vision 2040 Plan. The Greater Newport Area 2040 Vision Plan can be found at the following link: https://newportoregon.gov/dept/cdd/documents/Vision2040/Vision2040_Final_Draft.pdf

In 2020, the format for the Council Goal Setting work session was changed to create a process of longer-term goals and objectives expected to be carried out during the next fiscal year. This allows for longer-range planning for multiyear efforts, and provides direction from Council to staff and committees as to the priorities of the City Council, not only for the coming year but beyond. This step was taken as one of the recommendations from the Vision 2040 Advisory Committee.

For purposes of this report, the following items are used:

Goals are typically broader in scope and identify intended outcomes concerning one or more functions for the City.

Objectives help translate goals into actionable items with specific deliverables, and may be tied to budget resources or the commitment of staff time necessary to achieve that goal.

Strategies are identified with each goal and objective, and relate to the strategies included in the Greater Newport Area Vision 2040 Plan.

Additional Ideas are concepts that were identified by the City Council at the January 10 Goal Setting session. They are included for informational purposes only.

Each of the Council goals are followed by specific objectives for Fiscal Year 2023-2024. These objectives are the actionable items that Council desires to be implemented in this next twelve-month period. The objectives will be specifically addressed in the budget proposed by the City Manager for Fiscal Year 2023-2024.

2023-2024 DRAFT GOALS and OBJECTIVES

A. ENHANCING A LIVABLE REGION

In 2040, the Greater Newport Area is an enterprising, livable community that feels like home to residents and visitors alike. We have carefully planned for growth with well-maintained infrastructure, affordable housing for all income levels, robust public transportation, diverse shopping opportunities, and distinct, walkable districts and neighborhoods.

Council Goals

A-1 Invest in upgrades to the City's water distribution and storage tank systems. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

A-1(a) Update the Water Master Plan. (Vision Strategy A1)

A-2 Improve maintenance activities of the City street system. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

A-2(a) Evaluate and implement the use of a system to proactively identify and potholes for repair in city streets. (Vision Strategy A1)

A-3 Make safety improvements on US 101 at NE 57th Street and the movie theater driveway. (Vision Strategy A10) 5+years

Objectives for 2022-2023

A-3(a) Proceed with preliminary engineering to identify options for redesigning the intersection at US 101 and NE 58th Street. (Vision Strategy A10)

A-4 Increase supplies of affordable and workforce housing, including rentals for the community. (Vision Strategy A2) 5+ years

A-4(a) Develop bilingual educational materials to promote and encourage homeowners to consider building accessory dwellings on their principal homestead properties as allowed by law with information being available electronically on the City website. (Vision Strategy A2)

A-4(b) Proceed with recommendations generated from the Housing Capacity Analysis and Production Strategy Policy Advisory Committee to promote additional housing in the city. (Vision Strategy A2)

A-5 Complete pedestrian safety amenities throughout the community. (Vision Strategy A11) 5+ years

Objectives for 2022-2023

A-5(a) Complete discussions with ODOT and initiate design for a pedestrian walkway on US 101 from 25th Street to 36th Street utilizing URA funding for the project. (Vision Strategy A11)

A-5(b) Initiate planning with ODOT for the bike and pedestrian improvements from NE 36th Street to NE 60th Street. (Vision Strategy A11)

A-5(c) Move forward with design, permitting, and construction of a pedestrian-activated, signaled crosswalk at US 101 and NE 60th Streets. (Vision Strategy A11)

A-5(d) Proceed with design for the Harney/US 20 safe routes to school project to be funded by ODOT and Urban Renewal. (Vision Strategy A11)

A-6 Establish a trolley to move visitors, employees, and residents between Nye Beach, the Bayfront and Downtown. (Vision Strategy A16) 2.5 years

Objectives for 2022-2023

A-6(a) Meet with Lincoln County Transit, ODOT and others to determine feasibility costs of operating a trolley or shuttle. (Vision Strategy A16)

A-7 Acquire property in the Big Creek Reservoir watershed. (Vision Strategy A1) 5+years

Objectives for 2022-2023

A-7(a) Develop a watershed management plan that identifies property acquisition needs. (Vision Strategy A1)

B. PRESERVING & ENJOYING OUR ENVIRONMENT

In 2040, the Greater Newport Area lives in harmony with its coastal environment. Our ocean, beaches and bay, natural areas, rivers, and forests sustain and renew us with their exceptional beauty, bounty and outdoor recreation. We retain our connection to nature, protecting our land, air, water, natural habitats, and promoting more sustainable ways of living.

Council Goals

B-1 Invest in upgrades to the City's sanitary sewer collection system. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

B-1(a) Proceed with design of phase 1 of the North Side pump station headworks. (Vision Strategy B1)

B-2 Invest in upgrades to the City's storm sewer collection system. (Vision Strategy A1) 5+ years

Objectives for 2022-2023

B-2(a) Fund the replacement of the storm sewer on Hatfield. (Vision Strategy B4)

B-2(b) Fund the replacement of the storm sewer running under the fire hall and through Betty Wheeler Park. (Vision Strategy B1)

B-3 Modernize and upgrade the wastewater treatment plant. (Vision Strategy A1) 2-5 years.

Objectives for 2022-2023

B-3(a) Proceed with the first year upgrades as identified in the Wastewater Treatment Plant Master Plan. (Vision Strategy A1)

B-3(b) Develop a plan to finance necessary improvements and capacity upgrades as identified in the Wastewater Treatment Plant Master Plan. (Vision Strategy A1)

B-4 Review and implement cost-effective priorities from the Parks and Recreation Master Plan for implementation. (Vision Strategy B3) 2.5 years

Objectives for 2022-2023

B-4(a) Pursue options for universal beach access at Nye Beach.

B-4(b) Implement a free day at the Recreation Center on a monthly basis to promote membership. (Vision Strategy B3)

B-5 Evaluate the implementation of a dark sky lighting plan for the City. (Vision Strategy B5) 2-5 years

Objectives for 2022-2023

B-5(a) Determine the feasibility of utilizing the energy savings through the use of LED fixtures and more efficient placement of outdoor lighting to help expedite implementation of the dark sky street lighting system for the City. (Vision Strategy B5)

B-5 (b) Review model ordinances for the development of Dark Sky regulations for private outdoor lighting in the city. (Vision Strategy B5)

B-6 Develop long-term climate action plans for the City of Newport. (Vision Strategies B5, B9) 2-5 years

Objectives for 2022-2023

B-6(a) Further develop and implement sustainability information on measures the City can implement in our day-to-day operations to reduce environmental impacts. (Vision Strategy B9)

B-6(b) Determine the feasibility of a solar farm and battery storage at the municipal airport. (Vision Strategy B5)

B-6(c) Prioritize strategies to adapt the city to address conditions created by climate change. (Vision Strategy B9)

B-7 Promote gray water diversion and home storage rainwater. (Vision Strategy B1) 1 year

Objectives for 2022-2023

B-7(a) Utilize the Water Conservation Work Group to review existing ordinances and determine current provisions that would need to be amended to promote gray water diversion and rainwater storage. (Vision Strategy B1)

B-8 Implement conservation methods to reduce the use of water within the Greater Newport Area. (Vision Strategy B9) 2-5 years

Objectives for 2022-2023

B-8(a) Support the efforts of the Water Conservation Work Group to review methods to reduce drinking water use by residents, commercial and industrial businesses in the City of Newport. (Vision Strategy B9)

C. CREATING NEW BUSINESSES & JOBS

In 2040, the Greater Newport Area collaborates to create economic opportunities and living-wage job that help keep Newport dynamic, diverse, and affordable. Our economy is balanced and sustainable, producing living-wage jobs in the trades and professions, while supporting new start-up companies and small businesses based on local talent, entrepreneurship, ideas, and resources.

COUNCIL GOALS

C-1 Develop opportunities for buildable lands and utilization of existing structures for creating new businesses and jobs. (Vision Strategy C9) 5+ years

Objectives for 2022-2023

C-1(a) Update the City's commercial/industrial buildable lands inventory. (Vision Strategy C3)

C-1(b) Proceed with accepting a proposal for the repurposing of the South Beach property. (Vision Strategies C5, C8, C9)

C-1(c) Proceed with the annexation of unincorporated properties that are islands within the incorporated city limits. (Vision Strategies C3, C8)

C-1(d) Develop a plan between Engineering and Community Development to implement various projects outlined in the South Beach Refinement Plan through the close of the South Beach Urban Renewal District in 2027. (Vision Strategies C3, C8)

C-2 Support business growth, development, and financial sustainability at the airport. (Vision Strategy C4) 5+ years

Objectives for 2022-2023

C-2(a) Evaluate development of a solar farm and battery storage on Airport property. (Vision Strategy B8)

C-2(b) Pursue commercial air service to support economic development in Newport, including NOAA and other business needs. (Vision Strategy C14)

C-3 Revitalize the City Center and US 20 core areas of the City of Newport, including a variety of mixed uses. (Vision Strategies A5, C3, C8, C9, C7) 5+ years

Objectives for 2023-2024

C-3(a) Proceed with the development of strategic revitalization strategy funded in conjunction by ODOT and Urban Renewal funds for the revitalization of City Center corridors. (Vision Strategies A5, C3, C7, C8 ,C9)

C-3(b) As part of the City Center revitalization strategy, determine the preferred option for addressing future traffic through City Center of either incorporating a short couplet, or removing parking from US 101 and 9th Street to accommodate traffic, bicycle and pedestrian traffic through this critical part of the community. (Vision Strategies A5, C3, C9, A3, A10, A11)

C-3(c) Identify a public gathering location as part of the City Center revitalization plans. (Vision Strategy A5)

C-4(d) Determine a permanent location for the Newport Farmer's Market as part of the City Center revitalization plan. (Vision Strategies A5, C15)

C-4 Implement Recommendations of the Parking Plan. (Vision Strategies C1, C3, C8, C9) 2-5 years

Objectives for 2023-2024

C-4(a) Implement the parking management system, including paid parking, permit parking and adjusting time limits for parking in the Bayfront area. (Vision Strategies C8, C9)

D. LEARNING, EXPLORING, & CREATING NEW HORIZONS

In 2040, the Greater Newport Area takes pride in our community's education, innovation, and creativity, helping all our resident learn, grow, and thrive. Our schools are appropriately funded through diverse means of support to meet the highest standards of educational achievement. Our college and university prepare students for rewarding lives and productive careers. The arts and opportunities for creative expression and learning are high quality, diverse, and available and accessible to everyone.

Council Goals

D-1 Provide sufficient funding to support public arts. (Vision Strategy D3) 5+years

Objectives for 2022-2023

D-1)(a) Maintain City funding for the arts in 2023-2024 Budget. (Vision Strategy D3)

E. IMPROVING COMMUNITY HEALTH & SAFETY

In 2040, the Greater Newport Area is safe and healthy, equitable and inclusive, resilient and always prepared. We volunteer, help our neighbors, and support those in need. Our community's physical, environmental, social, and economic assets allow all of our residents, including families and children, young people, and seniors to live healthy lives and find the support and services they require, including excellent, affordable, and accessible healthcare and childcare.

Council Goals

E-1 Replace the Big Creek Dam. (Vision Strategy E5) 5+years

Objectives for 2022-2023

E-1(a) Develop information to inform the Greater Newport Area of the critical need to replace the Big Creek Dams. (Vision Strategy E5)

E-1(b) Proceed with design and permitting for the replacement dam for Big Creek. (Vision Strategy E5)

E-1(c) Conduct emergency preparedness planning regarding the dam failure. (Vision Strategy E5)

E-1(d) Continue efforts at identifying funding for dam replacement. (Vision Strategy E5)

E-1(e) Pursue an appropriation for funding under the Water Resources Development Act authorization of \$60 million for the City of Newport for Dam replacement. (Vision Strategy E5)

E-2 Continue with efforts with Listos (grass roots emergency preparedness program tailored to Spanish speaking communities) Training. (Vision Strategy E5) 2-5 years

Objectives for 2022-2023

E-2(a) Renew Listos training. (Vision Strategy E5)

E-3 Implement recommendations from the Homelessness Task Force. (Vision Strategy E7) 2-5 years

Objectives for 2022-2023

E-3(a) Participate in the Affordable Housing Partners meetings to discuss strategies on managing homelessness. (Vision Strategy E7)

E-3(b) Identify areas where campsites would be permitted in the city with portable toilets and garbage disposal. (Vision Strategy E7)

E-3(c) Explore the future installation of Portland loos in key locations throughout the community. (Vision Strategy E7)

E-3(d) Pursue efforts to create a permanent overnight shelter. (Vision Strategy E7)

E-3(e) Participate in the House Bill 4123 Advisory Board to develop a five-year strategic plan for addressing homelessness in Lincoln Count, and work toward establishing a county-wide office on homelessness. (Vision Strategy E7)

E-4 Evaluate Fire Service needs for the community. (Vision Strategy E6) 2-5 years

Objectives for 2022-2023

E-4(a) Evaluate the feasibility of consolidating the City Fire Department with the Rural Fire District. (Vision Strategy E6)

E-4(b) Relocate the fire training facility from the North Side pump station to the airport. (3) (Vision Strategy E6)

E-5 Re-establish the position of school resource officer (Vision Strategy E6) 1 year

Objectives for 2022-2023

E-5(a) Continue efforts to fill positions in the Police Department so that the City can resume placing a school resource officer in the schools. (Vision Strategy E6)

E-6 Enhance coordination among social services, non-profits, and local government to collaborate in all actions to guide creation of a healthier community. (Vision Strategy E4) 5+ years

Objectives for 2022-2023

E-6(a) Participate in the quarterly Community Health Improvement Plan meetings to discuss opportunities to collaborate with health organizations to create a healthier community. (Vision Strategy E4)

E-7 Expand affordable and accessible childcare capacity in the Greater Newport Area. (Vision Strategy E9) 2-5 years

Objectives for 2022-2023

E-7(a) Continue facilitating community discussions on need efforts to expand childcare options for families in the Greater Newport Area. (Vision Strategy E9)

E-7(b) Expand childcare services at the Recreation Center. (Vision Strategy E9)

F. FOSTERING COLLABORATION & ENGAGEMENT

In 2040, the Greater Newport Area's local governments and public agencies, schools and higher educational institutes, businesses, local employers, nonprofits, community groups, faith-based institutions, and residents work together as true partners in our shared future. Governments reach out to engage and listen to residents, involve them in important plans and decisions, and collaborate for a better community in a rapidly changing world.

Council Goals

F-1 Utilize the Greater Newport Area Vision 2040 strategies as a foundational document for ongoing public processes, planning and decision making. (Vision Strategy F2) 5+ years

Objectives for 2022-2023

F-1(a) Develop a plan including funding to sustain active coordination of the Greater Newport Vision beyond the funding provided by the Ford Family Foundation. (Vision Strategy F2)

F-1(b) Retain a consultant to conduct a five-year review and update of the Greater Newport Area Vision 2040. (Vision Strategy F2)

F-2 Increase involvement of younger generations in community issues. (Vision Strategy F9) 5+ years

Objectives for 2022-2023

F-2(a) Work collaboratively with the school district students, and others, to establish a youth council. (Vision Strategy F9)

F-2(b) Evaluate the possibility to add a position for youth on various City Advisory Committees. (Vision Strategy F9)

F-3 Foster an inclusive organization and community that embraces diversity in ethnicity, race, age, gender identity, sexual orientation, self-identity, and perspectives consistent with our slogan "The Friendliest". (Vision Strategy F5) 5+years

Objectives for 2022-2023

F-3(a) Conduct outreach for prospective candidates to diversify City staff as well as membership on City committees, boards, and panels to ensure that all community voices are represented in discussions in City policies. (Vision Strategy F5)

F-3(b) Support and seek out opportunities to collaborate with local partner organizations on cultural programming by collaborating on these programs during the fiscal year. (Vision Strategy F5)

F-3(c) Develop and publicize a process to address complaints of bias or discrimination relating to the City of Newport. The City commits to develop a specific protocol, or set of protocols, to investigate and respond to grievances with the goal of eliminating systemic bias within our organization. (Vision Strategy F5)

F-3(d) Provide diversity, equity, and inclusion (DEI) training to employees and volunteers. (Vision Strategy F5)

F-3(e) Collaboratively develop means for culturally competent and inclusive communications. (Vision Strategy F5)

F-4 Support continued transparency with communication with the citizens of the City of Newport. (Vision Strategies F1, F5)

Objectives for 2023-2024

F-4(a) Update the City's website navigation to provide information about the City of Newport in a culturally competent and inclusive manner. (Vision Strategies F1, F5)

F-4(b) Create a Public Information Officer position. (Vision Strategies F1, F5)

G. OTHER ORGANIZATIONAL ISSUES

As part of the goal setting process, the City Council establishes goals that do not fall directly in line with specific Vision Strategies. The goals are specific to the operational issues for the City of Newport.

Council Goals

G-1 Address long-term financial sustainability planning for the City of Newport. 2-5 years

Objectives for 2022-2023

G-1(a) Review the Five-Year Financial Sustainability Plan as part of the 2022-2023 Preliminary Budget Committee Meeting.

G-1(b) Implement recommendations in the Recreation Business Plan. Maximize use and reduce the subsidy necessary for this facility.

G-1(c) Review a way to financially support reduced fees for low-income users of the Recreation Center.

G-1(d) Develop sustainable funding to maintain and resurface/reconstruct the City street system.

G-1(e) Proceed with a utility rate study to incorporate the necessary structure to support the City's water sewer and storm utility systems including major upgrades to the wastewater treatment plan and local funding necessary for the Big Creek Dam.

G-1(f) Advocate for increased flexibility to utilize the tourism portion of the transient room tax to assist with road replacement and public safety services.

G-1(h) Identify financial resources to maintain City facilities, parks, and other buildings in accordance with the Facilities Master Plan that was conducted by Dude Solutions.

G-2 Implement purchasing procedures to reduce costs and improve accountability and transparency of these expenditures. 1 year

Objectives for 2022-2023

G-2(a) Complete and implement updated purchasing and public contracting policies for the City of Newport.

G-2(b) Provide training for all City staff involved with purchasing and public contracting on the policy adopted by the City Council.

G-3 Improve methods for revenue collection. 2-5 years

Objectives for 2022-2023

G-3(a) Complete staffing transitions in the Finance Department and get new staff trained and up-to-speed on various financial practices.

G-3(b) Implement procedures to improve the collection of miscellaneous fees, fines and other revenues that help support various City services.

G-3(c) Develop a routine practice to regularly place liens on properties for unpaid property-related bills.

G-3(d) Evaluate new collection procedures with the goal reducing uncollectable accounts considering the costs and benefit of the procedures.

G-4 Continue to expand access to city services through the use of technology. 5+years

Objectives for 2022-2023

G-4(a) Provide public access to specific components of the City's GIS system.

G-5 Build a strong and healthy work place culture within the City organization 1 year

Objectives for 2022-2023

G-5(a) Review and implement, where feasible, recommendations from the Employee Culture Strategic Plan.

G-5(b) Complete the revisions to the Employee Handbook.

H. ADDITIONAL IDEAS IDENTIFIED BY COUNCIL

During the January 30, 2023 Goal Setting session, the Council generated a number of ideas that were categorized as part of the goal setting process. This report includes the new ideas that were generated by the City Council during the Goal Setting session. Please note that these ideas are in addition to approximately 75 draft objectives that served as a starting point for developing the priorities for the next fiscal year. The number shown in parentheses following the various ideas for goals and objectives indicates the number of Council members that prioritized that particular concept. If there is no number included in the parentheses following the idea, then the idea was generated by a Council member, but not prioritized for moving forward at this time by any Council members. The ideas shown in bold are those ideas that have been incorporated in the previous section of this report as a goal and/or objective for Fiscal Year 2023-2024.

Airport

- **Airport solar farm with storage (4) Objective B-6(b)**
- Adjust leases for FedEx, UPS, Ameriflight (2)
- Promote current commercial development at the airport (1)

Environmental

- **Prioritize and implement strategies to adapt the city to conditions created by climate change, including public education (4) Objective B-6(c)**
- Seek funds for a forest management plan for the city of Newport (2) * Objective A-7(a)
- Proceed with a watershed purchase program (1)
- Pursue Dark Sky initiative (1) * Objectives B-5(a), B-5(b)
- Replace the broken lights on the north side of City Hall
- Conduct vegetation management at Nye Beach Turnaround

- Develop a watershed management plan, including acquisition of property by the City, land trust or similar organizations * (Objective A-7(a))
- Recognize that Newport will be a climate refuge and make plans as to how this would be accommodated in the City of Newport. *Objective B-6(a)
- Promote the City to become plastic free

Facilities/Infrastructure

- Relocate the fire training facility to the airport to make room for the improvements at the North Side pump station. (3) Objective E-4(b)
- Insure there is an ongoing site for the Farmer's Market within City Center as part of the strategic planning effort. (3) Objective C-4(d)
- Establish a pothole hotline utilizing phone, text or QR code reporting.
- (2) Objective A-2(a)
- Update Golf Course Drive. (1)
- Increase the Urban Growth Boundary. (1)
- Add City Center-based dog park. (1)
- Build a covered pavilion for year-round activities for a warming shelter or Farmer's Market.
- Prioritize steps in funding for wastewater treatment plant improvements. * (Objectives B-3(a), B-3(b))
- Provide funding for new sea lion docks.

Human Resources

- Create public information officer position (4) Objective F-4(b)
- Implement a language pay differential for individuals fluent in languages other than English (1)
- Hire a person to support the audit and budget processes (1)
- Identify appropriate work spaces for employees (1)
- Increase the salary range at the rec center
- Hire a marketing and web specialist
- Hire a city arborist

Miscellaneous

- Address rules and regulations to promote RV Park development in the city to address housing needs (2)
- Identify the resources needed to put in place a property maintenance code (2)
- Transition to paperless Council and Committee meetings
- Drop Granicus for Council/ Committee meetings to utilize a more accessible platform

Parks and Recreation

- Implement a free day at the rec center once a month to promote the use of these facilities (3) Objective B-4(b)
- Develop a program to have volunteers adopt certain areas to keep maintained and to enhance landscaping on Newport's main streets (2)
- Empower the tree board to assess a fee for trees cut for replanting and trimming
- Establish a heritage tree board

- Establish a weed board to eradicate Scotch Broom and English Ivy in the city

Social Services

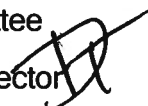
- **Facilitate the development of a homeless shelter with a nonprofit organization to run the shelter (6) Objective E-3(d)**
- Develop policies for increasing housing and livability within the community that addresses parking, building dimensions, balance between retail commercial, and promotes safe pedestrian and traffic access (1)
- Provide the necessary support for HB 4123 Homelessness Initiative. * Goal E-3
- Facilitate a process of connecting housing opportunities with housing providers to simplify and streamline the process for getting individuals into housing, particularly subsidized housing
- Promote the childcare programs within the city * Objectives E-7(a), E-7(b)

*Please note that the items with an asterisk have been partially addressed by existing objectives identified by the City Council.

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee
 From: Derrick I. Tokos, AICP, Community Development Director 
 Date: February 9, 2023
 Re: Impact of Newport News-Times Change to Publication Dates

In their January 27, 2023 edition, the Newport News-Times indicated that they would be transitioning from a twice a week to a once a week publication effective the second week of February. Traditional newspapers have been struggling for a long time to cope with the transition to a digital media environment and the options it presents. Other areas of the state are experiencing similar changes (e.g. Medford Mail Tribune shuttered on 1/13/23).

The City of Newport relies upon the Newport News-Times to provide legal notice to the public for a variety of its activities, including land use related matters. Some forms of notice are required by law, such as those for proposed annexations (ORS 222.120), renaming of streets (ORS 227.120), or street right-of-way vacations (ORS 271.110). The City can still meet these requirements; however, there is no longer any flexibility or room for error. The News-Times requires that legal publications be submitted by 5 pm on the Monday prior to the Friday publication date. Where statutes require publication on consecutive weeks, City staff will need to be on its toes, to make sure the deadlines are met.

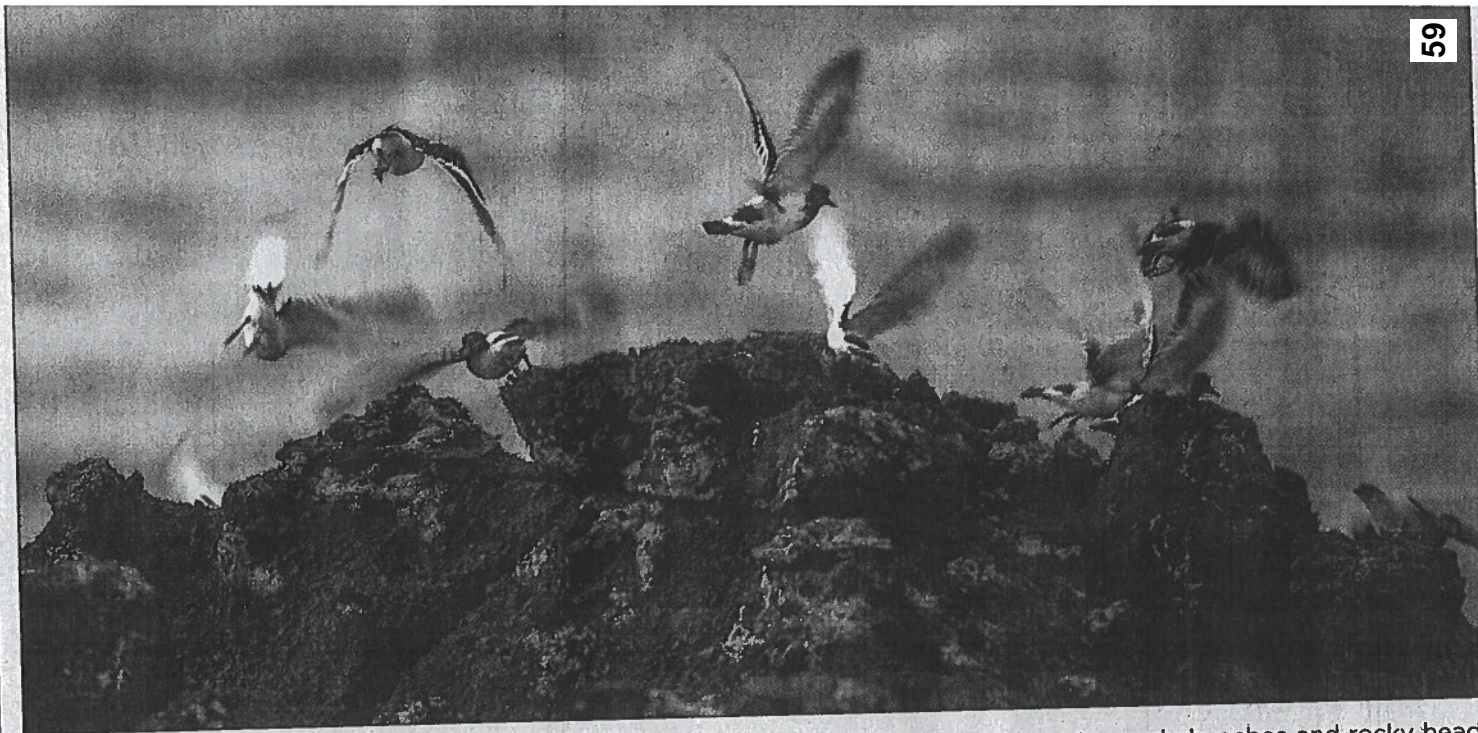
Some types of legal notice are provided by the City because it is a requirement of the Newport Municipal Code (NMC). This includes legislative amendments to the Newport Comprehensive Plan and Zoning Ordinance (Type IV Actions), and quasi-judicial proceedings governed by ORS 197.797 (a statute that does not require publication in a newspaper). Attached is a copy of NMC Section 14.52.060, which lists the notice requirements for the City's various types of land use actions.

The Planning Commission might want to consider amending this section of the code to provide alternatives to newspaper publication where permissible. That would position the City a bit better, should the News-Times make further changes such as shifting to a one or twice a month publication or shutting down entirely.

I look forward to hearing your thoughts on the issue.

Attachments

Newport News-Times Publication Change Article, dated 1/27/23
 Statutes Related to Newspaper Publication (including those cited)
 Copy of NMC Section 14.52.060



The Oregon coast has no shortage of wonders for people to see. From crashing waves, to sandy beaches and rocky headlands, to a wide variety of wildlife, there is much to take in. These shorebirds were photographed recently in Depoe Bay. (Photo by Jeremy Burke) 1/27/2023

News-Times publication change in two weeks

Newspaper moves to once-weekly print edition

The News-Times last week announced a significant change to its publication schedule starting next month. For those readers who may have missed it, the newspaper will be consolidated into one edition per week. The first paper printed after

this change will be on Feb. 10, which means there will be no Wednesday paper that week, on Feb. 8.

The News-Times was forced to make this change due to the significant challenges it faced during the past few years, such as staff shortages and large increases in production costs. And like newspapers across the country, the News-Times has seen a decline in advertising revenue.

After this change takes effect, the paper will be posting breaking news and other dated information to its website (newportnewstimes.com) and Facebook page on an even more frequent basis — multiple times each day. For more information, email jburke@newportnewstimes.com.



Tommy John captain charged with attempted murder

A Newport crab boat captain is charged with the attempted murder of his fiancée after deputies allegedly witnessed him strangling her through a window.

According to an affidavit of probable cause filed in Lincoln County Circuit Court Jan. 24, deputies with the Lincoln County Sheriff's Office responded at almost midnight the evening prior to a report of a domestic disturbance in the 4200 block of Yaquina Bay Road in the area of Sawyer's Landing.

As deputies approached the house, they said they heard a male voice yell, "I'm going to kill you," and a female voice trying to say something but making a gargling sound. Looking through a window, a deputy saw a woman lying on her back on the floor and a man sitting on her chest with

his hand over her throat. According to the affidavit, the woman said, "You're hurting me," and the man yelled, "Nobody cares."

When deputies knocked on the door and announced themselves, they reportedly heard the woman scream, "Help," so they kicked in the door and screamed for help again as they entered and placed the man in handcuffs.

The man was identified as 38-year-old Adam Hall, captain of the F/V Tommy John, and placed in the back seat of a patrol car while deputies interviewed the woman.

According to the affidavit, the woman had clear marks on her neck, but every time deputies asked her about it, she replied, "I'm fine."

She told deputies

NEWS-TIMES

Continued from page 1

com or scard@newport-newstimes.com

The advertising inserts that appeared in the Wednesday edition will now be included in Friday's paper. There will also be new deadlines for people wanting to purchase advertising and those who would like to submit news

items to appear in the paper. The Friday paper, which is printed off-site, goes to press each Wednesday afternoon, so the new deadlines are as follows:

ADVERTISING

- **Classified advertising** — Tuesday by 5 p.m.
- **Display advertising and obituaries** — Tuesday by 10 a.m.
- **Legal advertising** —

Monday by 5 p.m.

NEWS

- **Community, business, arts and entertainment and calendar press releases** — Monday by noon
- **Sports press releases** — Monday by 5 p.m.
- **Letters to the editor** — Monday by 5 p.m.
- **General news submissions** — Tuesday by noon.

LEADERS

Continued from page 1

(D-Otis), also sent Kotek a letter complaining, "Homelessness is not just an urban issue, but an Oregon issue." Gomborg said he later spoke to Kotek, who pledged to review the decision.

"I reiterated that the process used to count homeless people was misleading, and that home-

less students should have been excluded from the count," Gomborg said. "The governor and the mayor had a productive conversation." Newport Mayor Sawyer said the city is part of a family for urban politics and will not ignore rural Oregon. He said he will send most programs to the Portland region. He said he is moving forward to work with Kotek and raise

ARREST

Continued from page 1

thought she was going to die and she was glad they kicked in the door. She and Hall, with whom she'd been in a relationship for about six years, went to several bars that evening and got into an argument in the car on

the way home. According to Hall's Facebook page, the couple is engaged.

The woman said she slapped Hall while they were in the vehicle, then he struck her hard between the eyebrows, where a deputy noted there was swelling.

During the interview, the woman called a male

friend, described the situation and asked the deputy to speak with him. That man told the deputy it wasn't the first such incident, according to the affidavit.

The deputy determined the woman wasn't ready to disclose everything that occurred, he gave her his card and asked her to

call when she was ready. Hall was lodged in Lincoln County Jail.

He was arraigned in Lincoln County Circuit Court Jan. 24 on felony charges of attempted murder and strangulation constituting domestic violence, as well as misdemeanor charges of menacing, fourth-degree

assault and recklessness endangering another person. Pro-tem Judge Joseph Allison set bail at \$500,000.

Allison scheduled a probable cause preliminary hearing for Jan. 27. The case was likely to result in a grand jury, which would result in that hearing canceled in February.

DELAKE

Continued from page 1

sewer/septic systems in place do not present any problems, and the proposed LID does not define one."

Delake Heights residents Laura Edwards and Patrick Alexander presented cost-based objections to the project in their public comments. Edwards said the proposed costs were excessive and out of date, leaving residents baffled about how much they would actually have to pay. In written comments, Edwards compared the 58 property, \$2 million Delake Heights project to the recent 57 property,

increase over the estimate ... The cost breakdown for the Lake Drive started at \$3,500 per person and rose to \$6,421. The proposed Delake Heights project starts at \$34,000 per person. How high will it go?"

Alexander objected to the "grossly unfair and inequitable distribution of costs between various owners" of properties that were not identically equipped for sewer and water connections. "Some properties have paved streets; some have working sewer; some, improved gravel roads; some have no roads or infrastructure, yet the plan lumps all these properties together so each pays

Port Drive is a gravel road, and Southeast Quay Place is a dirt road serving undeveloped lots. Thus, the area contains homes with functioning sewer systems and paved roads as well as an undeveloped area with nearly no infrastructure, in effect requiring current property owners to pay for infrastructure to benefit future property developers. "While an upfront cost of \$45,000 might make sense when applied to an undeveloped property that has yet to incur the cost of septic installation, it is a far different prospect when applied to homeowners who have already invested in paved road and functioning

described the economic impact of the LID. Because his property lot is large, Covert would be charged for two sewer connections or \$70,000 to \$80,000 for his share of the sanitary sewer upgrade; if he pays in installments, the costs to this retiree will likely be higher than \$500 per month. Covert never plans to subdivide his property nor add to the 3,000-square-foot home he shared with his late wife. His septic system was recently inspected and found to be adequate as is the road to his home. "I object to being forced to pay for improvements I do not need," he said.

public comments. retirees and low-income owners reside within LID and cannot afford substantial maintenance costs the proposed project would thrust upon them, she wrote. "The proposed costs would come from my home's equity, adding no value to my home. My home is not the biggest in the district, but I assure you that I am only retired hoping that you are improving with this lifelong indebtedness."

Dennis Knudsen offered public comments that challenged the boundaries of the LID, noting that it "excludes multiple properties

NEWSPAPER PUBLICATION

193.010 Definitions for ORS 193.010 and 193.020. As used in this section and in ORS 193.020:

(1) “Bona fide subscriber” means a person who has been a paid subscriber for an uninterrupted period of 12 months, such subscription in no case to be over six months in arrears.

(2) “Newspaper” means a newspaper of general circulation, published in the English language for the dissemination of local or transmitted news or for the dissemination of legal news, made up of at least four pages of at least five columns each, with type matter of a depth of at least 14 inches, or, if smaller pages, then comprising an equivalent amount of type matter, which has bona fide subscribers representing more than half of the total distribution of copies circulated, or distribution verified by an independent circulation auditing firm, and which has been established and regularly and uninterruptedly published at least once a week during a period of at least 12 consecutive months immediately preceding the first publication of the public notice. Interrupted publication because of labor-management disputes, fire, flood or the elements for a period not to exceed 120 days, either before or after a newspaper is qualified for publication of public notices, shall not affect such qualification. [Amended by 1979 c.760 §1; subsection (1) renumbered 174.104 in 1999]

193.020 Newspaper in which public notice may be published. (1) Any public notice of any description, the publication of which is now or hereafter required by law, shall be published in any newspaper, as defined in ORS 193.010, which is published within the county, city of which any part lies within that county, city, district or other jurisdiction where the action, suit or other proceeding is pending, or is to be commenced or had, or in which the legal publication is required to be given.

(2) If publication in only one newspaper is required by law, and if more than one newspaper fulfills the requirements of subsection (1) of this section, the public notice shall be published in that newspaper which the moving party considers best suited to give actual notice. However, nothing in this subsection prohibits the publication in more than one newspaper if desired by the moving party.

(3) If no newspaper is published within the county, city, district or jurisdiction where the action, suit or other proceeding is pending, or is to be commenced or had, or in which the legal publication is required to be given, public notice shall be published in:

- (a) The newspaper published nearest to such county, city, district or jurisdiction; or
- (b) Any publication that is published in such county, city, district or jurisdiction and that satisfies all the requirements for being a newspaper except that it is published less than once a week but not less than once a month.

(4) If more than one newspaper or publication fulfills the requirements of subsection (3) of this section, the public notice shall be published in that newspaper or publication which the moving party considers most effective for providing actual notice. [Amended by 1963 c.432 §1; 1979 c.760 §2; 1983 c.831 §1]

193.030 Newspaper in which district legal advertisements and notices may be published. Legal advertisements and notices for irrigation districts and road districts, the publication of which is now required by law, shall be published in a newspaper within the

district; and if there is no newspaper in the district, in the newspaper nearest to the district affected. [Amended by 1973 c.57 §3]

193.040 Publication on weekdays in daily paper. Where publication of any form of notice for successive or consecutive days in a daily paper is provided for by statute, the publication of such notice on weekdays is a full compliance with such statute.

193.050 Notice by telegraph. Whenever any notice, information or intelligence, written or otherwise, is required to be given, the same may be given by telegraph. The dispatch containing the same shall be delivered to the person entitled thereto, or to the agent or attorney of the person. Notice by telegraph is actual notice.

193.060 Computation of publication time. The time for the publication of legal notices shall be computed so as to exclude the first day of publication and to include the day on which the act or event of which notice is given is to happen, or which completes the full period required for publication.

193.070 Proof of publication. Proof of publication of a document or notice required by law, or by an order of a court or judge, to be published in a newspaper, may be made by the affidavit of the owner, editor, publisher, manager or advertising manager of the newspaper or the principal clerk of any of them, or the printer or the foreman of the printer, showing the same. The affidavit may be in substantially the form set forth in ORCP 7 F(2)(b) and shall have annexed a copy of the document or notice. [Amended by 1979 c.284 §122]

193.080 Filing affidavit of publication; original or copy as evidence. If an affidavit of publication is made in an action, suit or proceeding pending in a court, it may be filed with the clerk thereof; if not so made, it may be filed with the county clerk of the county where the newspaper is printed. In either case, the original affidavit, or if the same is filed with the clerk, a copy thereof, duly certified, is primary evidence of the facts stated therein. [Amended by 1993 c.223 §6]

193.090 Compensation for publication. (1) The compensation for the publication of all public notices which are now or hereafter required by law to be published shall be at a rate not to exceed that published by a newspaper as its open display advertising rate, that is, the per column inch rate charged local advertisers not under contract to a newspaper for a fixed rate or minimum quantity of advertising. However, a newspaper shall grant its customary discounts or contractual rates to the county, city, district or other jurisdiction which fulfills the requirements necessary to qualify for the discounts or contractual rates.

(2) The published size of all public notices shall be determined by the person authorizing publication of the public notice, but shall be designed to afford the public reasonable ease in reading the information contained therein. Any public notice which must be typeset by the newspaper shall be in a type size no smaller than that used by that newspaper in its regular classified advertising columns, with spacing between lines and copy blocks commensurate with similar type matter. [Amended by 1963 c.576 §36; 1963 c.623 §1; 1971 c.295 §1; 1979 c.760 §3]

193.095 [1967 c.283 §7; repealed by 1979 c.760 §4]

193.100 Payment for newspaper publication of state laws or notices. When any law or notice is published in any newspaper of this state, by virtue of any law authorizing any state officer to direct such publication at the expense of the state, all charges for such publication shall be paid as provided in ORS 293.295 to 293.462. The Oregon Department of Administrative Services shall draw a warrant upon the State Treasurer therefor, specifying the account upon which the warrant is drawn. The treasurer shall pay the same in like manner as other appropriations are paid. [Amended by 1983 c.740 §47]

193.110 [Repealed by 1957 c.356 §1]

197.797 Local quasi-judicial land use hearings; notice requirements; hearing

procedures. The following procedures shall govern the conduct of quasi-judicial land use hearings conducted before a local governing body, planning commission, hearings body or hearings officer on application for a land use decision and shall be incorporated into the comprehensive plan and land use regulations:

(1) An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final evidentiary hearing on the proposal before the local government. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the governing body, planning commission, hearings body or hearings officer, and the parties an adequate opportunity to respond to each issue.

(2)(a) Notice of the hearings governed by this section shall be provided to the applicant and to owners of record of property on the most recent property tax assessment roll where such property is located:

(A) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;

(B) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(C) Within 500 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(b) Notice shall also be provided to any neighborhood or community organization recognized by the governing body and whose boundaries include the site.

(c) At the discretion of the applicant, the local government also shall provide notice to the Department of Land Conservation and Development.

(3) The notice provided by the jurisdiction shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized;

(b) List the applicable criteria from the ordinance and the plan that apply to the application at issue;

(c) Set forth the street address or other easily understood geographical reference to the subject property;

(d) State the date, time and location of the hearing;

(e) State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the board based on that issue;

(f) Be mailed at least:

(A) Twenty days before the evidentiary hearing; or

(B) If two or more evidentiary hearings are allowed, 10 days before the first evidentiary hearing;

(g) Include the name of a local government representative to contact and the telephone number where additional information may be obtained;

(h) State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;

(i) State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and

(j) Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings.

(4)(a) All documents or evidence relied upon by the applicant shall be submitted to the local government and be made available to the public.

(b) Any staff report used at the hearing shall be available at least seven days prior to the hearing. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the time limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.

(5) At the commencement of a hearing under a comprehensive plan or land use regulation, a statement shall be made to those in attendance that:

(a) Lists the applicable substantive criteria;

(b) States that testimony, arguments and evidence must be directed toward the criteria described in paragraph (a) of this subsection or other criteria in the plan or land use regulation which the person believes to apply to the decision; and

(c) States that failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the board based on that issue.

(6)(a) Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The local hearings authority shall grant such request by continuing the public hearing pursuant to paragraph (b) of this subsection or leaving the record open for additional written evidence, arguments or testimony pursuant to paragraph (c) of this subsection.

(b) If the hearings authority grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the date of the initial evidentiary hearing. An opportunity shall be provided at the continued hearing for persons to present and rebut new evidence, arguments or testimony. If new written evidence is submitted at the continued hearing, any person may request, prior to the conclusion of the continued hearing, that the record be left open for at least seven days to submit additional written evidence, arguments or testimony for the purpose of responding to the new written evidence.

(c) If the hearings authority leaves the record open for additional written evidence, arguments or testimony, the record shall be left open for at least seven days. Any participant may file a written request with the local government for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the hearings authority shall reopen the record pursuant to subsection (7) of this section.

(d) A continuance or extension granted pursuant to this section shall be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179, unless the continuance or extension is requested or agreed to by the applicant.

(e) Unless waived by the applicant, the local government shall allow the applicant at least seven days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence. This seven-day period shall not be subject to the limitations of ORS 215.427 or 227.178 and ORS 215.429 or 227.179.

(7) When a local governing body, planning commission, hearings body or hearings officer reopens a record to admit new evidence, arguments or testimony, any person may raise new issues which relate to the new evidence, arguments, testimony or criteria for decision-making which apply to the matter at issue.

(8) The failure of the property owner to receive notice as provided in this section shall not invalidate such proceedings if the local government can demonstrate by affidavit that such

notice was given. The notice provisions of this section shall not restrict the giving of notice by other means, including posting, newspaper publication, radio and television.

(9) For purposes of this section:

(a) "Argument" means assertions and analysis regarding the satisfaction or violation of legal standards or policy believed relevant by the proponent to a decision. "Argument" does not include facts.

(b) "Evidence" means facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision. [Formerly 197.763]

222.120 Procedure for annexation without election; hearing; ordinance subject to referendum.

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

(7) For the purpose of this section, ORS 222.125 and 222.170, "owner" or "landowner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39; 2009 c.595 §180]

227.120 Procedure and approval for renaming streets. Within six miles of the limits of any city, the commission, if there is one, or if no such commission legally exists, then the city engineer, shall recommend to the city council the renaming of any existing street, highway or road, other than a county road or state highway, if in the judgment of the commission, or if no such commission legally exists, then in the judgment of the city engineer, such renaming is in the best interest of the city and the six mile area. Upon receiving such recommendation the council shall afford persons particularly interested, and the general public, an opportunity to be heard, at a time and place to be specified in a notice of hearing published in a newspaper of general circulation within the municipality and the six mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the city council by ordinance shall rename the street or highway in accordance with the recommendation or by resolution shall reject the recommendation. A certified copy of each such ordinance shall be filed for record with the county clerk or recorder, and a like copy shall be filed with the county assessor and county surveyor. The county surveyor shall enter the new names of such streets and roads in red ink on the county surveyor's copy of any filed plat and tracing thereof which may be affected, together with appropriate notations concerning the same. The original plat may not be corrected or changed after it is recorded with the county clerk. [Amended by 2001 c.173 §4]

VACATION

271.080 Vacation in incorporated cities; petition; consent of property owners. (1)

Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 §2]

271.090 Filing of petition; notice. The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

271.100 Action by city governing body. The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

271.110 Notice of hearing. (1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least

two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor. [Amended by 1991 c.629 §1; 2005 c.22 §196]

14.52.060 Notice

The notification requirements in general for the various types of land use actions are identified below. The applicant shall provide city staff with the required names and addresses for notice. Notice of hearings to individual property owners is not required for Type IV legislative actions unless required by state law, such as ORS 227.186 (notice to owners whose property is rezoned). These notification requirements are in addition to any other notice requirements imposed by state law or city ordinance.

A. Information Required in all Notices of Actions and Hearings:

1. Name of applicant and property owner (if different), and file number.
2. Location of property (if applicable).
3. Date, time, and location for public hearing (for all hearings).
4. A brief summary of the nature and substance of the application or decision.
5. A list of applicable Newport Ordinance and/or Comprehensive Plan standards and where the applicable criteria may be found.
6. A statement that relevant information (decision, staff report, application or other materials) may be reviewed and providing information about where and when they can be reviewed, and a statement that copies are available at cost).
7. Staff contact information, including name, address, and phone number.
8. Date the notice is mailed.

B. Information Required in Specific Notices:

1. Date of decision (for Type I actions).

2. A statement describing the process and the deadline for filing comments (for Type II actions).
 3. A statement that the failure to raise an issue with sufficient specificity to allow the decision maker an opportunity to respond to the issue precludes raising the issue on appeal, including an appeal to the Land Use Board of Appeals (for Type II and III and quasi-judicial Type IV actions).
 4. Date, time, and location of the hearing (all hearing notices).
 5. A statement that the staff report will be available for view at no cost and that copies will be available at a reasonable cost at least seven days before the hearing (Type III and Type IV quasi-judicial actions).
 6. A general description of the hearing process, including the process for submitting written materials (Type III and IV decisions).
 7. An explanation of the use or uses that could be authorized by the decision (Type IV decisions).
- C. Mailing of Notice. Notices of hearings and actions shall be mailed by first class mail at least 14 days prior to the deadline for providing testimony for Type II decisions and at least 20 days prior to the public hearing for Type III and Type IV quasi-judicial actions. Notices shall be mailed to:
1. The applicant and property owner (if different).
 2. Any affected public agency, including ODOT or Lincoln County Transit, or public/private utility.
 3. Any person who has requested notice of the hearing or action in writing.
 4. Any officially recognized neighborhood association whose boundaries include the subject property.

5. Record owners of property (as specified in the most recent Lincoln County Assessor's property tax assessment roll):
 - a. Within 200 feet of the subject property (Type I, Type II, and Type III actions).
 - b. Within 300 feet of the subject property (Type IV quasi-judicial actions).
- D. Written Notice for Rezoning of Mobile Home or Manufactured Dwelling Park. If an application would change the zone of property that includes all or part of a mobile home or manufactured dwelling park, written notice by first class mail shall be given to each existing mailing address for tenants of the mobile home or manufactured dwelling park at least 20 days, but not more than 40 days, before the date of the first hearing on the application.
- E. Written Notice to Airport Owners. Notice of a public hearing on a zone use application shall also be provided to the owner of an airport, defined by the Department of Transportation as a "public use airport," if:
 1. The name and address of the airport owner has been provided by the Aeronautics Division of the Department of Transportation to the City Community (Planning) Department; and
 2. The property subject to the zone use hearing is:
 - a. Within 5,000 feet of the side or end of a runway of an airport determined by the Department of Transportation to be a "visual airport," or
 - b. Within 10,000 feet of the side or end of the runway of an airport determined by the Department of Transportation to be an "instrument airport."
 3. Notice of a zone use hearing need not be provided if the permit or zone change would only allow a structure less than 35 feet in height, and the property is located outside of the runway

“approach surface” as defined by the Department of Transportation.

- F. Published Notice. Notice of each Type III and Type IV hearing shall be published at least once in a newspaper of general circulation in the city at least 5 days, and no more than 14 days, prior to the date set for public hearing.

14.52.070 Staff Reports

Staff reports on any quasi-judicial land use action shall be available for public inspection at least seven (7) days prior to the date set for public hearing, and copies will be provided at the city's rate for photocopies.

14.52.080 Hearings Procedures (Quasi-Judicial/Limited Land Use)

This section shall govern the conduct of quasi-judicial/limited land use hearings. The following public hearing procedures are the minimum procedures for use in conduct of quasi-judicial and limited land use hearings and may be supplemented by any duly adopted rules of procedure.

- A. Nature and General Conduct of Hearing. The approving authority, in conducting a hearing involving a land use action, is acting in a quasi-judicial capacity, and all hearings shall be conducted accordingly. Parties to the hearing are entitled to an opportunity to be heard, to present and rebut evidence, and to have a decision based on evidence supported by findings of fact and supporting information. Testimony shall be made with sufficient specificity so as to afford the approving authority and other parties an adequate opportunity to respond to each issue.
- B. Disqualification, Ex Parte Contacts, Bias, Challenges to Participation. Proponents and opponents are entitled to an impartial tribunal that judge land use actions. A proponent or opponent may, therefore, challenge the qualifications of a member of the approving authority to participate in the meeting or decision. A challenge must state with sufficient specificity the facts relied upon by the submitting party relating the person's bias, prejudgment,

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)



February 13, 2023 Work Session

- Review Draft Housing Production Strategy Component of Housing Study (Part II)
- Draft City Council Goals for Fiscal Year 2023/24
- Recent News-Times Change to Publications and Impact on Land Use Actions

February 13, 2023 Regular Session

- File 5-CUP-22 Final Order and Findings on Conditional Use for Relief from STR Spacing Standards
- File 5-Z-22 Continued Hearing on Ordinance No. 2202 – STR Work Group Recommendations

February 27, 2023 Work Session

- Reception for Outgoing Chair/Commissioner Jim Patrick

February 27, 2023 Regular Session

- File 1-CP-23, Amendment to Comprehensive Plan Historic Inventory (1886 Building)

March 13, 2023 Work Session

- Review Draft Multi-Family/Commercial Trash Enclosure Standards
- Update on Status of Yaquina Bay Estuary Plan Update

March 13, 2023 Regular Session

- File 1-CUP-23/1-ADJ-23, Hearing on new 3-Story Commercial & Hotel Use on Bay Blvd (Former Apollos Site at Bay Street and Bay Blvd)

March 27, 2023 Work Session

- Update on Status of South Beach Island Annexation Process
- Draft Amendments to Special Parking Area Regulation (Relates to Bayfront Pkg Mgmt Plan)
- Results from Housing Production Online Survey

March 27, 2023 Regular Session

- Final Order and Findings for File 1-CUP-23/1-ADJ-23, Hearing on new 3-Story Commercial & Hotel Use on Bay Blvd (Former Apollos Site at Bay Street and Bay Blvd)

April 10, 2023 Work Session

- City Center Revitalization Project Update (Consultant to be under contract in March)
- Follow-up Review of Amendments to Special Parking Area Regulations

April 10, 2023 Regular Session

- Review and Provide Recommendation on Final Housing Production Strategy Actions (Council to adopt by Resolution)

April 24, 2023 Work Session

- Discuss Scope of Land Use Amendments to Facilitate Needed Housing (An HPS Recommendation)

April 24, 2023 Regular Session

- Public Hearing on Multi-Family/Commercial Trash Enclosure Standards
- Placeholder to Review Updated Boston Timber Opportunities UGB Land Swap
- Placeholder for South Beach Conditional Use Permit